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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

TITLE 2. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

NOTICE IS HEREBY GIVEN that the Board of Administration (Board) of the California Public Employees' Retirement System (CalPERS) proposes to take the action described below in the Informative Digest after considering public comments, objections, or recommendations.

PROPOSED REGULATORY ACTION

In this filing, the Board proposes to amend section 599.502 entitled, "Enrollment", and section 599.506 entitled, "Termination of Enrollment", in Title 2 of the California Code of Regulations. The proposed regulatory amendments would limit reimbursement to employers, employees and annuitants for retroactive deletions or cancellations of health benefits coverage. The amount of reimbursement shall not exceed those excess premiums paid for a period of up to six months prior to the date on which the action is processed and recorded pursuant to the employer's or annuitant's request for retroactive cancellation or deletion of an ineligible family member.

WRITTEN COMMENT PERIOD

Any person interested may submit written comments relevant to the proposed regulatory action. The written comment period closes at 5:00 pm on April 18, 2005. The Regulations Coordinator must receive all written comments by the close of the comment period. Comments may be submitted via fax at (916) 795-3379; email at the following address: marilyn_clark@calpers.ca.gov; or mail to the following address:

Marilyn Clark, Regulations Coordinator
California Public Employees' Retirement System
400 P Street, Room 1120
P.O. Box 942702
Sacramento, California 94229-2702
Telephone: (916) 795-3007

PUBLIC HEARING

Comments on the proposed actions will also be taken at a public hearing to be placed on the agenda of

the regularly scheduled meeting of the CalPERS Health Benefits Committee:

April 19, 2005

10:00 a.m. (or immediately following the meeting of the Benefits and Program Administration Committee)

California Public Employees' Retirement System
400 P Street, Sacramento, California 95814

ACCESS TO HEARING ROOM

The hearing room will be accessible to persons with mobility impairments, and can be made accessible to persons with hearing or vision impairments upon advance request to the Regulations Coordinator.

AUTHORITY AND REFERENCE

Government Code section 22794 grants the Board, ". . . all powers reasonably necessary to carry out the authority and responsibilities expressly granted or imposed upon it . . .," pursuant to the Public Employees' Medical and Health Care Act (PEMHCA).

Government Code section 22796, in pertinent part, requires the CalPERS Board to, ". . . adopt all necessary rules and regulations to carry out the provisions of [PEMHCA] . . .," including, but not limited to, ". . . regulations pertaining to any . . . matters that the board may be expressly authorized or required to provide for by rule or regulation by the provisions of [PEMHCA]." When adopting rules and regulations, section 22796 directs, ". . . the board shall be guided by the needs and welfare of individual employees, particular classes of employees, the state and contracting agencies, as well as prevailing practices in the field of medical and hospital care."

Government Code section 22830 allows an, ". . . employee or annuitant, under eligibility rules as prescribed by board regulations, (to) enroll in a health benefit plan approved or maintained by the board either as an individual or for self and family". Section 22830 also establishes enrollment in a plan as serving to authorize, ". . . the deduction of the contributions required under (PEMHCA) from the salary of an employee or allowance of an annuitant".

Government Code section 22842 provides that, "A change in coverage based on a change in the family status of an employee, annuitant, or family member enrolled in a health benefit plan may be requested by the employee or annuitant by filing an application within 30 days after the occurrence of the change in family status or at other times and according to conditions as may be prescribed by regulations of the board."

Government Code section 22846 further requires, "The regulations of the board shall provide for the

beginning and ending dates of coverage of employees, annuitants, and family members enrolled in a health benefit plan.”

The attached amendments to sections 599.502(f)(2) and 599.506(c)(1) will implement, interpret, and make specific Government Code Sections 22830 and 22846, respectively.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Government Code section 22830 describes the ability of the board to prescribe eligibility rules through board regulations, under which employees or annuitants may enroll, either as an individual or for self and family, in health benefit plans approved or maintained by the board.

Government Code section 22842 further provides that an employee, annuitant, or family member enrolled in a health benefit plan may request a change in coverage based on a change in the family status by filing an application within 30 days after the occurrence of the change in family status, or at other times and according to conditions as may be prescribed by regulations of the board.

Section 599.502 implements, interprets and makes specific Government Code sections 22830 and 22842 by describing the various conditions under which an eligible employee or annuitant may enroll in board-approved or maintained health plans, and may make changes to their enrollments, including the addition or deletion of family members.

The proposed amendment to section 599.502(f)(2) will limit reimbursement of employers, employees and annuitants to an amount not to exceed the excess health premiums paid for a period of up to six months when a submitted enrollment transaction results in a retroactive mandatory deletion of a family member or retroactive mandatory cancellation of coverage due to loss of eligibility.

As previously stated, Government Code section 22842 allows an employee, annuitant, or family member enrolled in a health benefit plan to request a change in coverage based on a change in the family status. Government Code section 22846 requires board regulations to provide a beginning and ending date of coverage of employees, annuitants, and family members enrolled in a health benefit plan.

Section 599.506 implements, interprets and makes specific Government Code sections 22842 and 22846 by authorizing and establishing specific termination dates for ending coverage of employees and annuitants and family members under specified circumstances and conditions. Section 599.506(c)(1) requires health plans to pay to the employer, employee or annuitant, “. . . any difference between the premium paid between the date of termination of coverage and the

effective date of the change in enrollment, and that which would have been paid had the change in enrollment been effective on the date of termination of coverage”

The proposed amendment to section 599.506(c)(1) will limit the liability of health plans contracting with CalPERS to reimburse employers, employees and annuitants to those excess premiums paid for a period of up to six months prior to submission of an enrollment transaction which results in a retroactive deletion or cancellation of coverage.

EFFECT ON SMALL BUSINESS

The proposed regulatory action does not affect small business because it applies only to state and public agency participation under the PEMHCA. Additionally, the businesses which provide services under the board-approved or maintained health plans of PEMHCA do not qualify as small businesses.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

- A. **MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS:** The proposed regulatory action does not impose a mandate on local agencies or school districts.
- B. **COST OR SAVINGS TO ANY STATE AGENCY:** The proposed regulatory action may have undetermined long-term savings for state agency health premium contributions due to the possibility of reductions to future overall health premium costs.
- C. **COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT:** The proposed regulatory action may have undetermined long-term savings for health premium contributions for local agencies or school districts due to the possibility of reductions to future overall health premium costs.
- D. **NONDISCRETIONARY COSTS OR SAVINGS IMPOSED ON LOCAL AGENCIES:** The proposed regulatory action does not impose non-discretionary costs or savings on local agencies.
- E. **COSTS OR SAVINGS IN FEDERAL FUNDING TO THE STATE:** The proposed regulatory action does not impact any federal funding to the state.
- F. **ADVERSE ECONOMIC IMPACT:** CalPERS has made an initial determination that the proposed regulatory actions will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of business in California to compete with business in other states.
- G. **COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES:** CalPERS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- H. **IMPACT ON JOBS AND BUSINESSES WITHIN CALIFORNIA:** The proposed regulatory action will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or, (3) affect the expansion of businesses currently doing business within California.
- I. **EFFECT ON HOUSING COSTS:** The proposed regulatory action has no significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the above mentioned hearing or during the written comment period.

CONTACT PERSONS

Please direct inquiries concerning the substance of the proposed regulatory action to:

Heather Martin, Regulation and Policy Area
Contract Administration
Office of Employer & Member Health Services
California Public Employees' Retirement System
P.O. Box 942714
Sacramento, California 94229-2714
Telephone: (916) 795-1590
Fax: (916) 795-1277
E-mail: heather_martin@calpers.ca.gov

Please direct requests concerning processing of this regulatory action to Marilyn Clark, Regulations Coordinator, at (916) 795-3007, or Barbara Galli, backup Regulations Coordinator, at (916) 795-4098.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The entire rulemaking file is available for public inspection through the Regulations Coordinator at the address shown above. To date the file consists of this notice, the proposed text of the regulation, and the Initial Statement of Reasons (ISR). A copy of the proposed text and the ISR is available at no charge upon telephone or written request to the Regulations Coordinator.

The Final Statement of Reasons can be obtained, once it has been prepared, by written request to Marilyn Clark, Regulations Coordinator, at the address shown above.

For immediate access, the regulatory material regarding this action can be accessed at CalPERS' web site at www.calpers.ca.gov under "*Members; About CalPERS; Legislation, Regulations and Statutes; Regulatory Actions; Current Regulatory Actions*".

AVAILABILITY OF MODIFICATIONS TO PROPOSED AMENDMENT

The Board may, on its own motion or at the recommendation of any interested person, modify the proposed amendment to the regulation after the public comment period has closed. It may amend sections 599.502 or 599.506 as modified if the changes are sufficiently related to the original text so the public could have anticipated them.

If the Board modifies its regulatory action in this manner, it will prepare a comparison of the original proposed text and the modifications for an additional public comment period of not less than 15 days prior to the date on which the Board adopts, amends or repeals the resulting regulation. A copy of the comparison text will be mailed to all persons who submitted written comments, who testified or submitted written comments at the public hearing, or asked to be kept informed as to the outcome of this regulatory action.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

ADOPTION/AMENDMENT

STATE AGENCIES:

Santa Ana Watershed Project
Department of Alcoholic Beverage Control

A written comment period has been established commencing on **March 4, 2005** and closing on **April 18, 2005**. Written comments should be directed to the Fair Political Practices Commission, Attention Teri Rindahl, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review; unless any interested person or his or her duly authorized requests, no later than 15 days prior to the close of the written comment period, a public hearing

before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **April 18, 2005**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Teri Rindahl, Fair

Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the amended conflict of interest codes of the following agencies:

CONFLICT OF INTEREST CODE

AMENDMENT

STATE AGENCY:

State and Consumer Services Agency

A written comment period has been established commencing on **March 4, 2005**, and closing on **April 11, 2005**. Written comments should be directed to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed amendment to the conflict of interest code will be submitted to the Commission's Executive Director for review, unless any interested person, or his or her duly authorized representative, requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed amendment will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced amendment to the conflict of interest code, proposed pursuant to Government Code section 87300, which designates, pursuant to Government Code section 87302, employees who must disclose certain investments, interests in real property, and income.

The Executive Director or the Commission, upon his or her own motion or at the interest of any interested person, will approve, or revise and approve, or return the amendment to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed amendment to the conflict of interest code. Any written comments must be received no later than April 11, 2005. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses, or small businesses.

AUTHORITY

Government Code sections 82011, 87303, and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest code shall approve codes as submitted, revise the proposed code, and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Korchmaros, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC MEETING/PUBLIC HEARING/BUSINESS MEETING OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD AND NOTICE OF PROPOSED CHANGES TO TITLE 8 OF THE CALIFORNIA CODE OF REGULATIONS

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2,

142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

PUBLIC MEETING: On **April 21, 2005**, at 10:00 a.m. in the Auditorium of the Harris State Building, 1515 Clay Street, Oakland, California 94612-1499

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

PUBLIC HEARING: On **April 21, 2005**, following the Public Meeting in the Auditorium of the Harris State Building, 1515 Clay Street, Oakland, California 94612-1499

At the Public Hearing, the Board will consider the public testimony on the proposed changes to occupational safety and health standards in Title 8 of the California Code of Regulations.

BUSINESS MEETING: On **April 21, 2005**, following the Public Hearing in the Auditorium of the Harris State Building, 1515 Clay Street, Oakland, California 94612-1499

At the Business Meeting, the Board will conduct its monthly business.

The meeting facilities and restrooms are accessible to the physically disabled. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Board office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, please contact the Paratransit office nearest you.

NOTICE OF PROPOSED CHANGES TO TITLE 8 OF THE CALIFORNIA CODE OF REGULATIONS BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders and Telecommunications Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on **April 21, 2005**.

1. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**

Chapter 4, Subchapter 7, Article 96,
Section 4968 and Article 99, New
Section 5022.1

**Tower Crane Warning Devices and
Crane Test Weight Requirements**

2. **TITLE 8: TELECOMMUNICATIONS SAFETY ORDERS**

Chapter 7, Subchapter 21, Article 1
Section 8615

**Fall Protection for
Telecommunication Workers**

A description of the proposed changes are as follows:

1. **TITLE 8: GENERAL INDUSTRY SAFETY ORDERS**

Chapter 4, Subchapter 7, Article 96,
Section 4968 and Article 99, New
Section 5022.1

**Tower Crane Warning Devices and
Crane Test Weight Requirements**

**INFORMATIVE DIGEST OF PROPOSED
ACTION/POLICY STATEMENT OVERVIEW**

This rulemaking action was initiated at the request of the Division of Occupational Safety and Health (Division). The Division submitted two Form 9s, Request for New, or Change in Existing Safety Order, dated February 4, 2000 and July 20, 2000, outlining the need for amendments in the requirements pertaining to tower crane warning devices in General Industry Safety Orders (GISO) Section 4968, and the need for requirements regarding crane test weights.

The Division stated that existing Section 4968 permits cranes to be overloaded because the audible warning signal and automatic stop must be activated at 105 and 110 percent of the rated load¹, respectively. Cranes are designed to operate up to 100 percent of the rated load. The Division stated that most, if not all, tower crane manufacturers do not recommend overloading their cranes under any conditions. Consequently, amendments are proposed to address these concerns.

The Division further recommended a new crane standard, GISO Section 5022.1 be established to address requirements related to test weights used for the purpose of proof load testing of cranes and derricks. During several job site inspections, the Division identified test weights that lacked structural integrity with regard to their design, particularly the

lifting attachments, which were made from wire rope or reinforcing steel (rebar). Inadequately designed test weights may break or fail during the lifting process resulting in crane collapse due to sudden release of the test weight.

This rulemaking action addresses the Division's aforementioned concerns and recommendations, and was developed with the assistance of an advisory committee.

Section 4968. Safety Devices.

Existing Section 4968 provides requirements for tower crane safety devices. The section requires visual warning devices, an audible signal and an automatic stop, all of which must operate at a percentage of the crane's rated load (i.e. 100, 105, and 110 percent, respectively). Other requirements in this section pertain to limit devices and the use of constant pressure controls.

Subsection (a)

Existing subsections (a)(1) and (2), require that a tower crane must be equipped with either a warning light that activates at 100 percent of the rated load, or that the crane be equipped with electric instrumentation that gives a continuous reading of the load weight and the trolley radius. An amendment is proposed for subsection (a)(1) to reduce the activation point of the warning light from the existing requirement of 100 percent to "a percentage of the rated load, not to exceed 95 percent of the rated load." The proposed amendments will have the effect of providing the crane operator a visual warning before the load reaches 100 percent of its capacity and will also permit activation of the warning light below 95 percent of the rated load.

Subsection (b)

Existing subsection (b) requires an audible signal that operates at 105 percent of a crane's rated load. An amendment is proposed to reduce the activation point of the audible signal from the existing requirement of 105 percent, to "a percentage of the rated load not to exceed 100 percent of the rated load." The proposed amendments will have the effect of providing the crane operator an audible warning once the load reaches 100 percent of its capacity and will also permit activation of the audible signal below 100 percent of the rated load.

New subsection (c)

A new subsection (c) is proposed that would require the visual warning light, and audible signal in subsections (a)(1) and (b) to be set to avoid simultaneous activation, and operate with a difference of at least 5 percent of the rated load. The proposed amendment would have the effect of ensuring that

¹ The "rated load" is the maximum load for which a crane or individual hoist is designed and built by the manufacturer and as shown on the equipment nameplate(s) or load capacity chart.

these warning devices do not simultaneously activate providing the crane operator with clear and independent warnings.

Subsection (d)

Existing subsection (c) is lettered subsection (d) in the proposal, and currently requires an automatic stop that must operate at 110 percent of the rated load. Cranes are designed to operate at 100 percent of the rated load, however, an automatic stop that activates at 110 percent of the rated load could potentially result in an overload condition. An amendment is proposed to require an automatic stop that operates at a percentage of the rated load, not to exceed 105 percent of the rated load. The effect of this amendment would be to permit cranes to operate safely without reducing the designed lifting capacity of the crane.

New subsection (e)

A new proposed subsection (e) would require that when the crane manufacturer specifies lower activation points for safety devices than required by subsections (a)(1), (b) and (d), the manufacturers' specifications shall be followed. The proposed subsection will ensure that the proposal does not conflict with manufacturer's specifications when provided, and that the employer follows the manufacturer's specifications for activation of warning devices and the automatic stop.

Existing subsections (d) and (e) are proposed for relettering as (f) and (g), respectively.

New Section 5022.1. Test Weights.

The scope of this proposed new section pertains to requirements for test weights manufactured for the purpose of proof load testing of cranes and derricks.

Subsection (a)

Proposed subsection (a) requires that test weights be legibly marked to indicate the documented weight. The effect of this subsection is to ensure that test weights are marked so that the weight can be easily read and identified by personnel.

Subsection (b)

Proposed subsection (b) requires lifting attachments on test weights to be visually inspected prior to each use. Subsection (b) also specifies that damaged or defective lifting attachments that are not suitable for safe use shall not be used. The effect of this provision would be that the lifting attachments are inspected prior to each use for any cracks, deformity, or wear that might affect their structural integrity. Moreover, it prevents any damaged or defective lifting attachments not suitable for safe use from being used.

Subsection (c)

Proposed subsection (c) prohibits the use of embedded wire rope and reinforcing steel (rebar) for use as lifting attachments. According to representatives in the crane industry, wire rope and rebar are unacceptable materials for use as test weight lifting attachments. Rebar is comprised of low-grade steel that is not designed for use as a test weight lifting attachment point and for the loads imposed in proof load testing of cranes. Further, wire rope used repetitively as a fixed lifting attachment in a test weight is subject to fraying, wearing and kinking and other defects all of which increase the likelihood of failure during proof load testing. The proposal would have the effect of prohibiting these inferior materials for use as test weight lifting attachments.

COST ESTIMATES OF PROPOSED ACTION Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action. Proposed amendments for Section 4968 are specific to tower cranes and the Board is not aware of any state agencies that own tower cranes. With respect to proposed new Section 5022.1, "Test Weights," the California Department of Water Resources and the California Department of Transportation each own approximately 12 mobile cranes that would require proof load testing. Board staff contacted the Health and Safety Departments of these two agencies and was advised that neither agency owns their own test weights. Proof load testing of these cranes is contracted out to crane certifying agencies. Both state agencies stated that the proposal should not result in any measurable cost impact. Further, the rationale under the heading "Impact on Businesses" explains that costs to businesses resulting from the proposal are expected to be negligible.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant statewide adverse economic impact affecting businesses, including the ability of California businesses to compete with businesses in other states. Proposed amendments for Section 4968 related to tower crane safety devices would require resetting the activation settings for the warning light, audible signal, and the automatic stop on some cranes. Advisory committee members, however, indicated that this would simply be a matter of readjusting the setting points on the crane circuit board. The existing crane orders already require that a certified manufacturer's representative be present

when a tower crane is erected or dismantled, and that the representative is qualified to make any necessary adjustments to warning device settings.

Proposed new Section 5022.1, "Test Weights," would require that test weights be legibly marked to indicate the documented weight, and that they be visually inspected prior to each use. These requirements should not result in cost impact to the employer as nearly all test weights are marked to indicate the weight, and inspecting test weights prior to use is a procedural requirement. Concrete block test weights are one type of test weight used to proof load test cranes, and a minority of concrete test weights have wire rope or rebar lifting attachments. Proposed Section 5022.1(c) would prohibit test weights with embedded wire rope or rebar used as lifting attachment points. However, existing test weights with wire rope or rebar lifting attachments could still be used for load testing within an appropriately designed lifting frame or lifting rack, or within a properly rigged sling. Consequently, the cost impact on businesses is expected to be negligible.

Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standards do not impose a local mandate. Therefore, reimbursement by the State is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these standards do not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which

carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

These proposed standards do not require local agencies to carry out the governmental function of providing services to the public. Rather, these standards require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, these proposed standards do not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

These proposed standards do not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated. Also, see the comments above under the heading, "Impact on Businesses."

ASSESSMENT

The adoption of the proposed amendments to these standards will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

2. TITLE 8: TELECOMMUNICATIONS SAFETY ORDERS

Chapter 7, Subchapter 21, Article 1
Section 8615(g)

**Fall Protection for
Telecommunication Workers**

**INFORMATIVE DIGEST OF PROPOSED
ACTION/POLICY STATEMENT OVERVIEW**

This rulemaking action is being initiated at the request of the Division of Occupational Safety and Health (Division). The Division submitted a Form 9, Request for New, or Change in Existing Safety Order, dated January 16, 2003, recommending that Section

8615(g) of the Telecommunication Safety Orders (TSO), which contains fall protection requirements for telecommunication industry workers, be updated for consistency with similar fall protection provisions contained in the Electrical Safety Orders. The Division noted former rulemaking actions that amended Section 2940.6 High Voltage Electrical Safety Orders (HVESO), and Section 2320.8 of the Low Voltage Electrical Safety Orders (LVESO) such that both Electrical Safety Orders contain language verbatim of each other with regard to how and when electrical workers are to be protected from falling from elevated locations when working from poles, towers, and similar structures, with the exception of point to point travel.

The Division and Board staff note that because existing language in TSO Section 8615(g) is silent with regard to point to point travel, it may be interpreted by the California Occupational Safety and Health Appeals Board (OSHAB) to only require employees to use fall protection when they are working at a stationary, elevated location on a pole, tower or other structure. In an OSHAB Decision in the Matter of the Appeal of Pacific Gas and Electric Company, Docket No. 84-R1D2-850, dated March 7, 1985, an administrative law judge (ALJ) granted the employer's appeal regarding an alleged violation of HVESO Section 2940.6(b)(1), which at the time was essentially verbatim of existing TSO Section 8615(g). In the decision, the ALJ stated "climbing up or descending from an elevated position on a power pole is not the same as working at an elevated location on the pole and therefore no personal fall protection is required." Both the Division and Board staff find the resulting condition places telecommunication workers at risk of a fall from an elevated location regardless of whether they are working at a fixed position or moving from point to point.

The Division and Board staffs agree that existing TSO Section 8615(g) must be updated for consistency with industry practice and other Title 8 requirements, which similarly address this issue. Board staff concurs with the Division's proposed language for amending Section 8615(g) as contained in their January 16, 2003, Memorandum, and recognizes the telecommunication industry practice of allowing only qualified persons, as defined in the TSO, to engage in point to point travel under certain conditions without the use of fall protection, a distinction absent in existing Section 8615(g). The Board believes that the proposed amendments to Section 8615(g) will effectively clarify to employers when and what type of fall protection is required, while recognizing a reasonable exception to these requirements for point to point travel by experienced telecommunication workers.

In addition, as a result of further review and for consistency with other existing Title 8 fall protection requirements, the Board proposes clarifying amendments to existing Section 8615(f)(1) to eliminate the current association between fall arrest devices and body belts (which could subject employees to fall arrest forces and serious injury) and straps, consistent with existing Title 8 prohibitions contained in standards such as the Construction, Electrical and General Industry Safety Orders. To that end, an amendment to subsection (f)(1) is proposed which would contain a reference to the use of the personal fall protection devices outlined in the amendments to Section 8615(g) when standard railings meeting the requirements of General Industry Safety Orders Section 3209 are not provided on elevated work platforms.

This proposed rulemaking action contains minor, nonsubstantive revisions. These nonsubstantive revisions are not all discussed in this Informative Digest, however, these proposed revisions are clearly indicated in the regulatory text in underline and strikeout format. In addition to these nonsubstantive revisions, the following actions are proposed:

Section 8615. Overhead Lines.

Section 8615 contains various requirements specific to overhead lines that address the handling of suspension strands, testing of wood poles, pole inspections and tests, inspection and testing requirements for cable suspension strands, use of elevated work platforms, fall protection, installation and removal of cables and wires, work around energized conductors and the use of metal tapes and ropes.

Subsection (f)(1) specifies that unless standard railings meeting the requirements of Section 3209 of the General Industry Safety Orders are provided, suitable fall-arresting devices such as safety straps and body belts shall be used while working on elevated work platforms including aerial splicing platforms, pole platforms, ladder platforms, pole balconies and pole seats. For consistency with other Title 8 fall protection requirements, including the proposed amendments to Section 8615(g), it is proposed to revise subsection (f)(1) to require that personal fall protection devices as specified in subsection (g) shall be used when standard railings are not provided. The proposed revision will have no effect other than to clarify which fall protection devices are permitted thus ensuring consistency in fall protection requirements contained throughout Title 8.

Subsection (g) requires that when employees work more than 4 feet above the ground on poles, towers or similar structures, employers are to require that employees use body belts/safety belts and safety straps/lanyards. It is proposed to title the subsection "Fall Protection," and revise it to read, "When work

is performed at elevated locations more than 4 feet (1.2 meters) above ground on poles, towers or similar structures, the employer shall require the employees to use either fall arrest equipment, work positioning equipment or travel restricting equipment, if other fall protection methods have not been provided (e.g., guardrails, safety nets, etc.).” It is also proposed to prohibit the use of body belts as part of a fall arrest system, consistent with other existing Title 8 fall protection standards, and include an exception which permits point to point travel by a qualified person unless conditions such as ice, high winds (as defined in Section 2951(f) of the High Voltage Electrical Safety Orders), design of the structure, or other conditions (e.g., chemical contaminants) prevent the employee from gaining a firm hand or foothold while traveling.

The proposed amendments are verbatim of fall protection requirements contained in Sections 2320.8 and 2940.6 of the Low and High Voltage Electrical Safety Orders, respectively, and are necessary for consistency purposes. The revisions will have the effect of clarifying to the employer when and what type of fall protection is necessary to protect telecommunication employees working at elevated locations, and to permit point to point travel under specified conditions.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action as Board staff has not identified any state agencies that perform telecommunications work from poles, towers or similar structures. Typically such services are not performed by state employees but are contracted out to private sector providers.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposal clarifies what type of fall protection is to be used, either personal fall protection or conventional fall protection (safety nets, guardrails), and when telecommunication workers may be allowed to work without the use of fall protection, i.e., point to point travel.

Cost Impact on Private Persons or Businesses

The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under “Determination of Mandate.”

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standards do not impose a local mandate. Therefore, reimbursement by the state is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these standards do not constitute a “new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution.”

The California Supreme Court has established that a “program” within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

These proposed standards do not require local agencies to carry out the governmental function of providing services to the public. Rather, the standards require local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, these proposed standards do not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

These proposed standards do not impose unique requirements on local governments. All employers—state, local and private—will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated.

ASSESSMENT

The adoption of the proposed amendments to these standards will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

A copy of the proposed changes in STRIKEOUT/ UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than April 15, 2005. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on April 21, 2005, will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at oshsb@hq.dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above proposal substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the

Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Keith Umemoto, Executive Officer, or Michael Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

TITLE 10. DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING

File No. RH04041574

Date: February 17, 2005

PROPOSED AMENDMENT OF SECTION 2632.5(C)(1)(A) ORDERING OF MOTOR VEHICLE REPORTS

SUBJECT OF HEARING

Notice is hereby given that the Insurance Commissioner proposes to amend Title 10, California Code of Regulations, Section 2632.5(c)(1)(A) clarifying that, to determine a driver's driving safety record, each insurer shall obtain and use a Motor Vehicle Report ("MVR") when an automobile insurance policy is issued, when a new driver is added to a policy, and no less frequently than every 36 months thereafter.

AUTHORITY AND REFERENCE

The Commissioner proposes to amend the proposed regulation under the express authority of California Insurance Code Section 1861.02. The proposed regulation implements, interprets, and makes specific California Insurance Code Sections 1861.02 and 1861.025.

HEARING DATE AND LOCATION

The Commissioner will hold a public hearing to provide all interested persons an opportunity to present statements or arguments, either orally or in writing, with respect to this regulation at the following date, time, and place:

Tuesday, April 19, 2005—10:00 a.m.
California Department of Insurance
Hearing Room
45 Fremont Street, 22nd Floor
San Francisco, CA 94105

SUBMISSION OF COMMENTS;
CONTACT PERSONS

All persons are invited to present oral and/or written comments at the hearing. Written comments not presented at the hearing must be addressed to the following contact person:

Elizabeth Mohr
California Department of Insurance
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4112

Questions regarding the hearing and comments on the substance of the proposed action should be addressed to the above contact person. If the contact person is unavailable, inquiries may be sent to the backup contact person:

Daniel M Goodell
California Department of Insurance
45 Fremont Street, 21st Floor
San Francisco, CA 94105
Telephone: (415) 538-4191

DEADLINE FOR WRITTEN COMMENTS

All written materials must be received by the Commissioner, in care of the contact person, at the address listed above, by no later than **5:00 p.m. on April 19, 2005**. Any materials received after that time will not be considered.

COMMENTS TRANSMITTED BY
ELECTRONIC COMMUNICATION

The Commissioner will accept written comments transmitted by e-mail sent to the following e-mail address: mohre@insurance.ca.gov. The Commissioner will also accept written comments transmitted by facsimile provided they are directed to the attention of the contact person for this proceeding using the following fax number: (415) 904-5490. **Comments shall be transmitted by one method only and are subject to the deadline for written comments set forth above.**

Comments sent to other e-mail addresses or other facsimile numbers will not be accepted.

ACCESS TO HEARING ROOMS

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person for this hearing in order to make special arrangements, if necessary.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interests of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of Subchapter 4.9, Title 10, California Code of Regulations, in connec-

tion with their participation in this matter. Persons interested in inquiring about the appropriate procedures should contact the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Capitol Mall, 17th Floor
Sacramento, CA 95814
(916) 492-3559

A copy of any written materials submitted to the Public Advisor regarding this rulemaking shall also be submitted to the contact person for this hearing. Please contact the Office of the Public Advisor for further information.

INFORMATIVE DIGEST

Summary of Existing Law

California Insurance Code Section 1861.02(a) provides that rates and premiums for an automobile insurance policy shall be determined by application of various factors in decreasing order of importance. The first factor is the insured's driving safety record.

California Insurance Code Section 1861.025 generally provides that a person is qualified to purchase a Good Driver Discount policy if he or she has been licensed to drive a motor vehicle for the previous three years and during that time has maintained a specified driving record.

Title 10, California Code of Regulations, Section 2632.5(c) defines the first mandatory factor (the insured's driving safety record) as the public record of traffic violation convictions available from the California Department of Motor Vehicles, together with similar public records of traffic violation convictions that are available from other jurisdictions.

However, existing law does not explicitly establish time periods within which insurers shall order MVRs to rate and underwrite an automobile insurance policy.

Policy Statement Overview and Effect of Proposed Action

The proposed regulation would clarify that, to determine a driver's driving safety record for purposes of California Insurance Code Sections 1861.02(a)(1) and 1861.025, each insurer shall obtain a Motor Vehicle Report for every driver listed on the policy at the time of policy application, and for each new driver added to the policy at the time the driver is added, and no less frequently than every 36 months thereafter, if the policy remains in effect. Corresponding to the Good Driver Discount requirement, no insurer shall rate or underwrite a new or renewal policy based upon an MVR older than 36 months at the time the policy is issued or renewed.

**MANDATES ON LOCAL AGENCIES OR
SCHOOL DISTRICTS OR COSTS WHICH MUST
BE REIMBURSED PURSUANT TO
GOVERNMENT CODE SECTIONS 17500
THROUGH 17630**

This proposed regulation does not impose any mandate on local agencies or school districts. There are no costs to local agencies or school districts for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, and no other nondiscretionary cost or savings imposed on local agencies.

**COST OR SAVINGS TO ANY STATE AGENCY;
FEDERAL FUNDING**

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency, and no cost or savings in federal funding to the State.

**ECONOMIC IMPACT ON BUSINESSES AND
THE ABILITY OF CALIFORNIA BUSINESSES
TO COMPETE WITH BUSINESSES IN
OTHER STATES**

The Department has made an initial determination that adoption of the proposed regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulation simply clarifies and makes specific existing legal requirements.

However, the Commissioner invites comment on proposed alternatives designed to lessen any adverse economic impact on business while ensuring compliance with all applicable legal requirements.

The types of businesses affected by the proposed regulation are insurers transacting automobile insurance in the State of California.

**POTENTIAL COST IMPACT ON PRIVATE
PERSONS OR BUSINESSES**

The Department is not aware of any cost impacts a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Although some insurers may incur additional costs to obtain MVRs, the proposed regulation clarifies existing law.

**EFFECT ON JOBS/BUSINESSES
IN CALIFORNIA**

The Commissioner is required to assess any impact the regulation may have on the creation or elimination of jobs in the State of California, the creation of new businesses, the elimination of existing businesses, and the expansion of businesses currently operating in the

state. The Commissioner does not foresee that the proposed regulation will have an impact on any of the above but invites interested parties to comment on this issue.

IMPACT ON HOUSING COSTS

The proposed regulation will have no significant effect on housing costs.

ALTERNATIVES

The Commissioner must determine that no reasonable alternative considered by the Commissioner or that has otherwise been identified and brought to the attention of the Commissioner would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective as and less burdensome to affected private persons than the proposed regulation. The Commissioner invites public comment on alternatives to the regulation.

IMPACT ON SMALL BUSINESS

The matters proposed herein will affect insurance companies, and therefore will not affect small business. (Gov. Code Section 11342.610, subd. (b), para. (2).)

COMPARABLE FEDERAL LAW

There are no existing federal regulations or statutes comparable to, or mandating, the proposed regulation.

OTHER STATUTORY REQUIREMENTS

There are no other specific statutory requirements applicable to the proposed regulation.

**TEXT OF REGULATION AND
STATEMENT OF REASONS**

The Commissioner has prepared an initial statement of reasons that sets forth the reasons for the proposed action. The Commissioner also has available all the information upon which this proposed action is based as well as the express terms of the proposed action. Upon request, the proposed text and initial statement of reasons will be made available for inspection and copying. Requests for the initial statement of reasons or questions regarding this proceeding should be directed to the contact person listed above.

The file for this proceeding, which includes a copy of the proposed regulation, the statement of reasons, the information upon which the proposed action is

based, and any supplemental information contained in the rulemaking file, is available for inspection and copying **by prior appointment** at 45 Fremont Street, 21st Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday. Written requests for the rulemaking file or questions regarding this proceeding should be directed to the contact person listed above.

FINAL STATEMENT OF REASONS

A final statement of reasons will be prepared at the conclusion of this proceeding. Upon **written or e-mail** request to the contact person listed above, the final statement of reasons will be made available for inspection and copying once it has been prepared. A copy of the final statement of reasons will also be posted on the Department's website.

AUTOMATIC MAILING

A copy of this notice, including the informative digest, which contains the general substance of the proposed regulation, will automatically be sent to all persons on the Commissioner's mailing list.

WEBSITE POSTINGS

Documents concerning this proceeding are available on the Department's website, <http://www.insurance.ca.gov>. In the "Quick Links" section, click on Legal Information, then on Proposed Regulations. When the "Search" screen appears, enter RH04041574 (the Department's regulation file number for this proceeding) in the "Search for" field.

AVAILABILITY OF MODIFIED TEXT OF REGULATION

In response to public comment, the Commissioner may determine that changes to the proposal are appropriate. If those changes are sufficiently related to the original text that the public had adequate notice of the proposal, as amended, copies of the amended text will be sent to all persons who testified or presented comments at the public hearing or submitted written comments during the comment period, and to anyone who requested information regarding the proposal. Thereafter, the Commissioner will accept written comments, arguments, evidence and testimony, concerning the changes only, for a period of at least 15 days prior to adoption.

At least 45 days notice will be given if the changes are not sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contracts in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P. O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P. O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians &
Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P. O. Box 925
Middletown, CA 95461

DEPARTMENT OF HEALTH SERVICES

NOTICE OF PUBLIC HEARING IN CONJUNCTION WITH WRITTEN PROCEEDINGS REGARDING R-12-04E, NEWBORN SCREENING PROGRAM FEE INCREASE

Notice is hereby given that the State Department of Health Services will conduct a public hearing commencing at 10 a.m. on March 8, 2005 in Room 72.167, 1500 Capitol Avenue, Sacramento, CA, during which time any interested person or such person's duly authorized representative may present statements, arguments or contentions regarding the emergency regulation R-12-04E, Newborn Screening Program Fee Increase. The closure of the written comment period is extended to 5 p.m. on March 8, 2005. All other information contained in the public notice for R-12-04E, which was previously distributed by mail and published in the California Regulatory Notice Register of January 21, 2005, remains unchanged.

Inquiries concerning the action described in this notice may be directed to Don Lee of the Office of Regulations at (916) 440-7673. In any such inquiries, please identify the action by using the Department regulation control number R-12-04E.

MILITARY DEPARTMENT

NOTICE OF INTENTION TO AMEND A CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the Military Department intends to amend a conflict-of-interest code pursuant to Government Code Section 18750. Pursuant to Government Code Section 87302, the code will designate employees who must disclose certain investments, income, interests in real property and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

A written comment period has been established commencing on March 4, 2005, and terminating on April 18, 2005. Any interested person may present written comments concerning the proposed code no later than April 18, 2005 to the Military Department, 9800 Goethe Road, Sacramento, CA 95827. No public hearing on this matter will be held unless any interested person or his or her representative requests no later than 15 days prior to the close of the written comment period, a public hearing.

The Military Department has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which its proposal is based.

Due to reorganization, the Military Department is adding seven designated positions and changing the title on three designated positions. The added designated positions are: Chief of Staff, Office of the Adjutant General; Deputy Comptroller, State Comptroller Directorate; Chief Information Officer, Joint Staff; Deputy Adjutant General, Civil Support Division; Chief of Staff, Civil Support Division; Deputy Adjutant General, California State Military Reserve; and Chief of Staff, California State Military Reserve. The positions to be retitled are: from Chief, Purchasing and Contracting to Deputy Comptroller, Fiscal Compliance; from Supply Systems Technician to Chief, Contract Section; and from Senior Procurement NCO to Chief, Purchasing. The additional positions and title changes to three existing positions will have no affect on the existing code.

Copies of the proposed code and all of the information upon which it is based may be obtained from the Military Department, 9800 Goethe Road, Sacramento, CA 95827. Any inquiries concerning the proposed code should be directed to Lieutenant Colonel James Berdan, (916) 854-3077, James.Berdan@ca.ngb.army.mil.

PROPOSITION 65

STATE OF CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER OR REPRODUCTIVE TOXICITY MARCH 4, 2005

The Safe Drinking Water and Toxic Enforcement Act of 1986 requires that the Governor revise and republish at least once per year the list of chemicals known to the State to cause cancer or reproductive toxicity. The identification number indicated in the following list is the Chemical Abstracts Service (CAS) Registry Number. No CAS number is given when several substances are presented as a single listing. The date refers to the initial appearance of the chemical on the list. For easy reference, chemicals which are shown underlined are newly added. Chemicals which are shown with a strikeout were placed on the list with the date noted, and have subsequently been removed.

CHEMICALS KNOWN TO THE STATE TO CAUSE CANCER

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
A-alpha-C (2-Amino-9H-pyrido[2,3-b]indole)	26148685	January 1, 1990
Acetaldehyde	75070	April 1, 1988
Acetamide	60355	January 1, 1990
Acetochlor	34256821	January 1, 1989
2-Acetylaminofluorene	53963	July 1, 1987
Acifluorfen	62476599	January 1, 1990
Acrylamide	79061	January 1, 1990
Acrylonitrile	107131	July 1, 1987
Actinomycin D	50760	October 1, 1989
Adriamycin (Doxorubicin hydrochloride)	23214928	July 1, 1987
AF-2-[2-(2-furyl)-3-(5-nitro-2-furyl)]acrylamide	3688537	July 1, 1987
Aflatoxins	—	January 1, 1988
Alachlor	15972608	January 1, 1989
Alcoholic beverages, when associated with alcohol abuse	—	July 1, 1988
Aldrin	309002	July 1, 1988
Allyl chloride	407051	January 1, 1990
Delisted October 29, 1999	117793	October 1, 1989
2-Aminanthraquinone	117793	October 1, 1989
p-Aminoazobenzene	60093	January 1, 1990
ortho-Aminoazotoluene	97563	July 1, 1987

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
4-Aminobiphenyl	—	—
(4-aminodiphenyl)	92671	February 27, 1987
1-Amino-2,4-dibromoanthraquinone	81492	August 26, 1997
3-Amino-9-ethylcarbazole hydrochloride	6109973	July 1, 1989
2-Aminofluorene	153786	January 29, 1999
1-Amino-2-methylanthraquinone	82280	October 1, 1989
2-Amino-5-(5-nitro-2-furyl)-1,3,4-thiadiazole	712685	July 1, 1987
4-Amino-2-nitrophenol	119346	January 29, 1999
Amitrole	61825	July 1, 1987
Analgesic mixtures containing phenacetin	—	February 27, 1987
Aniline	62533	January 1, 1990
Aniline hydrochloride	142041	May 15, 1998
ortho-Anisidine	90040	July 1, 1987
ortho-Anisidine hydrochloride	134292	July 1, 1987
Antimony oxide (Antimony trioxide)	1309644	October 1, 1990
Aramite	140578	July 1, 1987
Aristolochic acids	—	July 9, 2004
Arsenic (inorganic arsenic compounds)	—	February 27, 1987
Asbestos	1332214	February 27, 1987
Auramine	492808	July 1, 1987
Azacitidine	320672	January 1, 1992
Azaserine	115026	July 1, 1987
Azathioprine	446866	February 27, 1987
Azobenzene	103333	January 1, 1990
Benz[a]anthracene	56553	July 1, 1987
Benzene	71432	February 27, 1987
Benzidine [and its salts]	92875	February 27, 1987
Benzidine-based dyes	—	October 1, 1992
Benzo[b]fluoranthene	205992	July 1, 1987
Benzo[j]fluoranthene	205823	July 1, 1987
Benzo[k]fluoranthene	207089	July 1, 1987
Benzofuran	271896	October 1, 1990
Benzo[a]pyrene	50328	July 1, 1987
Benzotrichloride	98077	July 1, 1987
Benzyl chloride	100447	January 1, 1990
Benzyl violet 4B	1694093	July 1, 1987
Beryllium and beryllium compounds	—	October 1, 1987
Betel quid with tobacco	—	January 1, 1990
2,2-Bis(bromomethyl)-1,3-propanediol	3296900	May 1, 1996
Bis(2-chloroethyl)ether	111444	April 1, 1988
N,N-Bis(2-chloroethyl)-2-naphthylamine (Chlor-napazine)	494031	February 27, 1987
Bischloroethyl nitrosourea (BCNU)(Carmustine)	154938	July 1, 1987
Bis(chloromethyl)ether	542881	February 27, 1987
Bis(2-chloro-1-methylethyl)ether, technical grade	—	October 29, 1999
Bitumens, extracts of steam-refined and air refined	—	January 1, 1990
Bracken fern	—	January 1, 1990
Bromate	15541454	May 31, 2002
Bromodichloromethane	75274	January 1, 1990

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Bromoethane	74964	December 22, 2000	Chlorotrianisene	569573	September 1, 1996
Bromoform	75252	April 1, 1991	Chlorozotocin	54749905	January 1, 1992
1,3-Butadiene	106990	April 1, 1988	Chromium (hexavalent compounds)	—	February 27, 1987
1,4-Butanediol dimethanesulfonate (Busulfan)	55981	February 27, 1987	Chrysene	218019	January 1, 1990
Butylated hydroxyanisole	25013165	January 1, 1990	C.I. Acid Red 114	6459945	July 1, 1992
beta-Butyrolactone	3068880	July 1, 1987	C.I. Basic Red 9 monohydrochloride	569619	July 1, 1989
Cacodylic acid	75605	May 1, 1996	C.I. Direct Blue 15	2429745	August 26, 1997
Cadmium and cadmium compounds	—	October 1, 1987	C.I. Direct Blue 218	28407376	August 26, 1997
Caffeic acid	331395	October 1, 1994	C.I. Solvent Yellow 14	842079	May 15, 1998
Captafol	2425061	October 1, 1988	Ciclosporin (Cyclosporin A; Cyclosporine)	59865133	January 1, 1992
Captan	133062	January 1, 1990	Cidofovir	79217600	January 29, 1999
Carbazole	86748	May 1, 1996	Cinnamyl anthranilate	113852372	January 1, 1989
Carbon black (airborne, unbound particles of respirable size)	1333864	February 21, 2003	Cisplatin	87296	July 1, 1989
Carbon tetrachloride	56235	October 1, 1987	Cisplatin	15663271	October 1, 1988
Carbon-black extracts	—	January 1, 1990	Citrus Red No. 2	6358538	October 1, 1989
N-Carboxymethyl-N- nitrosourea	60391926	January 25, 2002	Clofibrate	637070	September 1, 1996
Catechol	120809	July 15, 2003	Cobalt metal powder	7440484	July 1, 1992
Ceramic fibers (airborne particles of respirable size)	—	July 1, 1990	Cobalt [II] oxide	1307966	July 1, 1992
Certain combined chemotherapy for lymphomas	—	February 27, 1987	Cobalt sulfate heptahydrate	10026241	June 2, 2000
Chlorambucil	305033	February 27, 1987	Coke oven emissions	—	February 27, 1987
Chloramphenicol	56757	October 1, 1989	Conjugated estrogens	—	February 27, 1987
Chlordane	57749	July 1, 1988	Creosotes	—	October 1, 1988
Chlordecone (Kepone)	143500	January 1, 1988	para-Cresidine	120718	January 1, 1988
Chlordimeform	6164983	January 1, 1989	Cupferron	135206	January 1, 1988
Chlorendic acid	115286	July 1, 1989	Cycasin	14901087	January 1, 1988
Chlorinated paraffins (Average chain length, C12; approximately 60 percent chlorine by weight)	108171262	July 1, 1989	Cyclophosphamide (anhydrous)	50180	February 27, 1987
p-Chloroaniline	106478	October 1, 1994	Cyclophosphamide (hydrated)	6055192	February 27, 1987
p-Chloroaniline hydrochloride	20265967	May 15, 1998	Cytembena	21739913	May 15, 1998
Chlorodibromomethane	—	—	D&C Orange No. 17	3468631	July 1, 1990
Delisted October 29, 1999	424481	January 1, 1990	D&C Red No. 8	2092560	October 1, 1990
Chloroethane (Ethyl chloride)	75003	July 1, 1990	D&C Red No. 9	5160021	July 1, 1990
1-(2-Chloroethyl)-3-cyclohexyl-1- nitrosourea (CCNU)	—	—	D&C Red No. 19	81889	July 1, 1990
(Lomustine)	13010474	January 1, 1988	Dacarbazine	4342034	January 1, 1988
1-(2-Chloroethyl)-3-(4- methylcyclohexyl)-1- nitrosourea (Methyl- CCNU)	13909096	October 1, 1988	Daminozide	1596845	January 1, 1990
Chloroform	67663	October 1, 1987	Dantron (Chrysazin; 1,8-Dihydroxyanthraqui- none)	117102	January 1, 1992
Chloromethyl methyl ether (technical grade)	107302	February 27, 1987	Daunomycin	20830813	January 1, 1988
3-Chloro-2-methylpropene	563473	July 1, 1989	DDD (Dichlorodiphenyldichloro- ethane)	72548	January 1, 1989
1-Chloro-4-nitrobenzene	100005	October 29, 1999	DDE (Dichlorodiphenyldichloro- ethylene)	72559	January 1, 1989
4-Chloro-ortho-phenylenedia- mine	95830	January 1, 1988	DDT (Dichlorodiphenyltrichloro- ethane)	50293	October 1, 1987
p-Chloro-o-toluidine	95692	January 1, 1990	DDVP (Dichlorvos)	62737	January 1, 1989
p-Chloro-o-toluidine, strong acid salts of	—	May 15, 1998	N,N'-Diacylbenzidine	613354	October 1, 1989
5-Chloro-o-toluidine and its strong acid salts	—	October 24, 1997	2,4-Diaminoanisole	615054	October 1, 1990
Chloroprene	126998	June 2, 2000	2,4-Diaminoanisole sulfate	39156417	January 1, 1988
Chlorothalonil	1897456	January 1, 1989	4,4'-Diaminodiphenyl ether (4,4'-Oxydianiline)	101804	January 1, 1988
			2,4-Diaminotoluene	95807	January 1, 1988
			Diaminotoluene (mixed)	—	January 1, 1990
			Dibenz[a,h]acridine	226368	January 1, 1988
			Dibenz[a,j]acridine	224420	January 1, 1988
			Dibenz[a,h]anthracene	53703	January 1, 1988
			7H-Dibenzo[c,g]carbazole	194592	January 1, 1988
			Dibenzo[a,e]pyrene	192654	January 1, 1988
			Dibenzo[a,h]pyrene	189640	January 1, 1988

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Dibenzo[a,i]pyrene	189559	January 1, 1988	2,4-Dinitrotoluene	121142	July 1, 1988
Dibenzo[a,l]pyrene	191300	January 1, 1988	2,6-Dinitrotoluene	606202	July 1, 1995
1,2-Dibromo-3-chloropropane (DBCP)	96128	July 1, 1987	Di-n-propyl isocinchomer- onate (MGK Repellent 326)	136458	May 1, 1996
2,3-Dibromo-1-propanol	96139	October 1, 1994	1,4-Dioxane	123911	January 1, 1988
Dichloroacetic acid	79436	May 1, 1996	Diphenylhydantoin (Pheny- toin)	57410	January 1, 1988
p-Dichlorobenzene	106467	January 1, 1989	Diphenylhydantoin (Phenytol), sodium salt	630933	January 1, 1988
3,3'-Dichlorobenzidine	91941	October 1, 1987	Direct Black 38 (technical grade)	1937377	January 1, 1988
3,3'-Dichlorobenzidine dihydrochloride	612839	May 15, 1998	Direct Blue 6 (technical grade)	2602462	January 1, 1988
1,4-Dichloro-2-butene	764410	January 1, 1990	Direct Brown 95 (technical grade)	16071866	October 1, 1988
3,3'-Dichloro-4,4'-diaminodiphenyl ether	28434868	January 1, 1988	Disperse Blue 1	2475458	October 1, 1990
1,1-Dichloroethane	75343	January 1, 1990	Diuron	330541	May 31, 2002
Dichloromethane (Methylene chloride)	75092	April 1, 1988	Epichlorohydrin	106898	October 1, 1987
1,2-Dichloropropane	78875	January 1, 1990	Erionite	12510428	October 1, 1988
1,3-Dichloropropene	542756	January 1, 1989	Estradiol 17B	50282	January 1, 1988
Dieldrin	60571	July 1, 1988	Estragole	140670	October 29, 1999
Dienestrol	84173	January 1, 1990	Estrone	53167	January 1, 1988
Diepoxybutane	1464535	January 1, 1988	Estropipate	7280377	August 26, 1997
Diesel engine exhaust	—	October 1, 1990	Ethinylestradiol	57636	January 1, 1988
Di(2-ethylhexyl)phthalate	117817	January 1, 1988	Ethoprop	13194484	February 27, 2001
1,2-Diethylhydrazine	1615801	January 1, 1988	Ethyl acrylate	140885	July 1, 1989
Diethyl sulfate	64675	January 1, 1988	Ethylbenzene	100414	June 11, 2004
Diethylstilbestrol (DES)	56531	February 27, 1987	Ethyl methanesulfonate	62500	January 1, 1988
Diglycidyl resorcinol ether (DGRE)	101906	July 1, 1989	Ethyl-4,4'-dichloro- benzilate	510156	January 1, 1990
Dihydrosafrole	94586	January 1, 1988	Ethylene dibromide	106934	July 1, 1987
Diisopropyl sulfate	2973106	April 1, 1993	Ethylene dichloride (1,2-Dichloroethane)	107062	October 1, 1987
3,3'-Dimethoxybenzidine (ortho-Dianisidine)	119904	January 1, 1988	Ethylene oxide	75218	July 1, 1987
3,3'-Dimethoxybenzidine dihydrochloride (ortho-Dianisidine dihydrochloride)	20325400	October 1, 1990	Ethylene thiourea	96457	January 1, 1988
3,3'-Dimethoxybenzidine-based dyes metabolized to 3,3'-dimethoxybenzidine	—	June 11, 2004	Ethyleneimine	151564	January 1, 1988
3,3'-Dimethylbenzidine-based dyes metabolized to 3,3'-dimethylbenzidine	—	June 11, 2004	Fenoxycarb	72490018	June 2, 2000
Dimethyl sulfate	77781	January 1, 1988	Folpet	133073	January 1, 1989
4-Dimethylaminoazo- benzene	60117	January 1, 1988	Formaldehyde (gas)	50000	January 1, 1988
trans-2-[(Dimethyl- amino)methylimino]-5- [2-(5-nitro-2-furyl)vinyl]- 1,3,4-oxadiazole	55738540	January 1, 1988	2-(2-Formylhydrazino)-4- (5-nitro-2-furyl)thiazole	3570750	January 1, 1988
7,12-Dimethylbenz(a) anthracene	57976	January 1, 1990	Fumonisin B ₁	116355830	November 14, 2003
3,3'-Dimethylbenzidine (ortho-Tolidine)	119937	January 1, 1988	Furan	110009	October 1, 1993
3,3'-Dimethylbenzidine dihydrochloride	612828	April 1, 1992	Furazolidone	67458	January 1, 1990
Dimethylcarbamoyl chloride	79447	January 1, 1988	Furmecyclox	60568050	January 1, 1990
1,1-Dimethylhydrazine (UDMH)	57147	October 1, 1989	Fusarin C	79748815	July 1, 1995
1,2-Dimethylhydrazine	540738	January 1, 1988	Ganciclovir sodium	82410320	August 26, 1997
Dimethylvinylchloride	513371	July 1, 1989	Gasoline engine exhaust (condensates/extracts)	—	October 1, 1990
3,7-Dinitrofluoranthene	105735715	August 26, 1997	Gemfibrozil	25812300	December 22, 2000
3,9-Dinitrofluoranthene	22506532	August 26, 1997	Glasswool fibers (airborne particles of respirable size)	—	July 1, 1990
1,6-Dinitropyrene	42397648	October 1, 1990	Glu-P-1 (2-Amino-6- methylidiprido[1,2- a:3',2'-d]imidazole)	67730114	January 1, 1990
1,8-Dinitropyrene	42397659	October 1, 1990	Glu-P-2 (2-Aminodipyri- do[1,2-a:3',2'-d]imida- zole)	67730103	January 1, 1990
Dinitrotoluene mixture, 2,4-/2,6-	—	May 1, 1996	Glycidaldehyde	765344	January 1, 1988
			Glycidol	556525	July 1, 1990

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Griseofulvin	126078	January 1, 1990	Mestranol	72333	April 1, 1988
Gyromitrin (Acetaldehyde methylformylhydra- zone)	16568028	January 1, 1988	Metham sodium	137428	November 6, 1998
HC Blue 1	2784943	July 1, 1989	8-Methoxypsoralen with ultraviolet A therapy	298817	February 27, 1987
Heptachlor	76448	July 1, 1988	5-Methoxypsoralen with ultraviolet A therapy	484208	October 1, 1988
Heptachlor epoxide	1024573	July 1, 1988	2-Methylaziridine (Propyleneimine)	75558	January 1, 1988
Herbal remedies containing plant species of the genus Aristolochia	—	July 9, 2004	Methylazoxymethanol	590965	April 1, 1988
Hexachlorobenzene	118741	October 1, 1987	Methylazoxymethanol acetate	592621	April 1, 1988
Hexachlorocyclohexane (technical grade)	—	October 1, 1987	Methyl carbamate	598550	May 15, 1998
Hexachlorodibenzo- dioxin	34465468	April 1, 1988	3-Methylcholanthrene	56495	January 1, 1990
Hexachloroethane	67721	July 1, 1990	5-Methylchrysene	3697243	April 1, 1988
<u>2,4-Hexadienal (89% trans, trans isomer; 11% cis, trans isomer)</u>	—	<u>March 4, 2005</u>	4,4'-Methylene bis (2-chloroaniline)	101144	July 1, 1987
Hexamethylphosphora- mide	680319	January 1, 1988	4,4'-Methylene bis(N,N-dimethyl) benzenamine	101611	October 1, 1989
Hydrazine	302012	January 1, 1988	4,4'-Methylene bis (2-methylaniline)	838880	April 1, 1988
Hydrazine sulfate	10034932	January 1, 1988	4,4'-Methylenedianiline	101779	January 1, 1988
Hydrazobenzene (1,2-Diphenylhydrazine)	122667	January 1, 1988	4,4'-Methylenedianiline dihydrochloride	13552448	January 1, 1988
Indeno [1,2,3-cd]pyrene	193395	January 1, 1988	Methyleugenol	93152	November 16, 2001
Indium phosphide	22398807	February 27, 2001	Methylhydrazine and its salts	—	July 1, 1992
IQ (2-Amino-3- methylimidazo[4,5-f] quinoline)	76180966	April 1, 1990	Methyl iodide	74884	April 1, 1988
Iprodione	36734197	May 1, 1996	Methylmercury compounds	—	May 1, 1996
Iron dextran complex	9004664	January 1, 1988	Methyl methanesulfonate	66273	April 1, 1988
Isobutyl nitrite	542563	May 1, 1996	2-Methyl-1-nitroanthraquin- one (of uncertain purity)	129157	April 1, 1988
Isoprene	78795	May 1, 1996	N-Methyl-N'-nitro-N- nitrosoguanidine	70257	April 1, 1988
Isosafrole	120581	October 1, 1989	N-Methylolacrylamide	924425	July 1, 1990
Isoxaflutole	141112290	December 22, 2000	Methylthiouracil	56042	October 1, 1989
Lactofen	77501634	January 1, 1989	Metiram	9006422	January 1, 1990
Lasiocarpine	303344	April 1, 1988	Metronidazole	443481	January 1, 1988
Lead acetate	301042	January 1, 1988	Michler's ketone	90948	January 1, 1988
Lead and lead compounds	—	October 1, 1992	Mirex	2385855	January 1, 1988
Lead phosphate	7446277	April 1, 1988	Mitomycin C	50077	April 1, 1988
Lead subacetate	1335326	October 1, 1989	Monocrotaline	315220	April 1, 1988
Lindane and other hexachlorocyclohexane isomers	—	October 1, 1989	5-(Morpholinomethyl)-3-[(5-nitro- furfurylidene)- amino]-2-oxalolidinone	139913	April 1, 1988
Lynestrenol	52766	February 27, 2001	Mustard Gas	505602	February 27, 1987
Mancozeb	8018017	January 1, 1990	MX (3-chloro-4-dichloromethyl-5- hydroxy-2(5H)-furanone)	77439760	December 22, 2000
Maneb	12427382	January 1, 1990	Nafenopin	3771195	April 1, 1988
Me-A-alpha-C (2-Amino-3- methyl-9H-pyrido[2,3-b] indole)	68006837	January 1, 1990	Nalidixic acid	389082	May 15, 1998
Medroxyprogesterone acetate	71589	January 1, 1990	Naphthalene	91203	April 19, 2002
MeIQ(2-Amino-3,4- dimethylimidazo[4,5-f] quinoline)	77094112	October 1, 1994	1-Naphthylamine	134327	October 1, 1989
MeIQx(2-Amino-3,8- dimethylimidazo[4,5-f] quinoxaline)	77500040	October 1, 1994	2-Naphthylamine	91598	February 27, 1987
Melphalan	148823	February 27, 1987	Nickel (Metallic)	7440020	October 1, 1989
Merphalan	531760	April 1, 1988	Nickel acetate	373024	October 1, 1989
			Nickel carbonate	3333673	October 1, 1989
			Nickel carbonyl	13463393	October 1, 1987
			Nickel compounds	—	May 7, 2004
			Nickel hydroxide	12054487;	October 1, 1989
				12125563	
			Nickelocene	1271289	October 1, 1989
			Nickel oxide	1313991	October 1, 1989
			Nickel refinery dust from the pyrometallurgical process	—	October 1, 1987
			Nickel subsulfide	12035722	October 1, 1987

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Niridazole	61574	April 1, 1988	Oxadiazon	19666309	July 1, 1991
Nitrilotriacetic acid	139139	January 1, 1988	Oxazepam	604751	October 1, 1994
Nitrilotriacetic acid, tri- sodium salt mono- hydrate	18662538	April 1, 1989	Oxymetholone	434071	January 1, 1988
5-Nitroacenaphthene	602879	April 1, 1988	Oxythioquinox	2439012	August 20, 1999
5-Nitro-o-anisidine	99592	October 1, 1989	Palygorskite fibers (>5µm in length)	12174117	December 28, 1999
o-Nitroanisole	91236	October 1, 1992	Panfuran S	794934	January 1, 1988
Nitrobenzene	98953	August 26, 1997	Pentachlorophenol	87865	January 1, 1990
4-Nitrobiphenyl	92933	April 1, 1988	Phenacetin	62442	October 1, 1989
6-Nitrochrysene	7496028	October 1, 1990	Phenazopyridine	94780	January 1, 1988
Nitrofen (technical grade)	1836755	January 1, 1988	Phenazopyridine hydrochloride	136403	January 1, 1988
2-Nitrofluorene	607578	October 1, 1990	Phenesterin	3546109	July 1, 1989
Nitrofurazone	59870	January 1, 1990	Phenobarbital	50066	January 1, 1990
1-[(5-Nitrofurfurylidene)-amino]- 2-imidazolidinone	555840	April 1, 1988	Phenolphthalein	77098	May 15, 1998
N-[4-(5-Nitro-2-furyl)-2- thiazolyl]acetamide	531828	April 1, 1988	Phenoxybenzamine	59961	April 1, 1988
Nitrogen mustard (Mechlorethamine)	51752	January 1, 1988	Phenoxybenzamine hydrochloride	63923	April 1, 1988
Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	55867	April 1, 1988	o-Phenylenediamine and its salts	95545	May 15, 1998
Nitrogen mustard N-oxide	126852	April 1, 1988	Phenyl glycidyl ether	122601	October 1, 1990
Nitrogen mustard N-oxide hydrochloride	302705	April 1, 1988	Phenylhydrazine and its salts	—	July 1, 1992
Nitromethane	75525	May 1, 1997	o-Phenylphenate, sodium	132274	January 1, 1990
2-Nitropropane	79469	January 1, 1988	o-Phenylphenol	90437	August 4, 2000
1-Nitropyrene	5522430	October 1, 1990	PhiP(2-Amino-1-methyl-6- phenylimidazol[4,5-b] pyridine)	105650235	October 1, 1994
4-Nitropyrene	57835924	October 1, 1990	Polybrominated biphenyls	—	January 1, 1988
N-Nitrosodi-n-butylamine	924163	October 1, 1987	Polychlorinated biphenyls	—	October 1, 1989
N-Nitrosodiethanolamine	1116547	January 1, 1988	Polychlorinated biphenyls (containing 60 or more percent chlorine by molecular weight)	—	January 1, 1988
N-Nitrosodiethylamine	55185	October 1, 1987	Polychlorinated dibenzo-p-dioxins	—	October 1, 1992
N-Nitrosodimethylamine	62759	October 1, 1987	Polychlorinated dibenzofurans	—	October 1, 1992
p-Nitrosodiphenylamine	156105	January 1, 1988	Polygeenan	53973981	January 1, 1988
N-Nitrosodiphenylamine	86306	April 1, 1988	Ponceau MX	3761533	April 1, 1988
N-Nitrosodi-n-propylamine	621647	January 1, 1988	Ponceau 3R	3564098	April 1, 1988
N-Nitroso-N-ethylurea	759739	October 1, 1987	Potassium bromate	7758012	January 1, 1990
3-(N-Nitrosomethylamino) propionitrile	60153493	April 1, 1990	Primidone	125337	August 20, 1999
4-(N-Nitrosomethylam- ino)-1-(3-pyridyl)1- butanone	64091914	April 1, 1990	Procabazine	671169	January 1, 1988
N-Nitrosomethylethyl- amine	10595956	October 1, 1989	Procabazine hydrochloride	366701	January 1, 1988
N-Nitroso-N-methylurea	684935	October 1, 1987	Procymidone	32809168	October 1, 1994
N-Nitroso-N-methylurethane	615532	April 1, 1988	Progesterone	57830	January 1, 1988
N-Nitrosomethylvinyl- amine	4549400	January 1, 1988	Pronamide	23950585	May 1, 1996
N-Nitrosomorpholine	59892	January 1, 1988	Propachlor	1918167	February 27, 2001
N-Nitrosornicotine	16543558	January 1, 1988	1,3-Propane sultone	1120714	January 1, 1988
N-Nitrosopiperidine	100754	January 1, 1988	Propargite	2312358	October 1, 1994
N-Nitrosopyrrolidine	930552	October 1, 1987	beta-Propiolactone	57578	January 1, 1988
N-Nitrososarcosine	13256229	January 1, 1988	Propylene glycol mono- <i>t</i> -butyl ether	57018527	June 11, 2004
o-Nitrotoluene	88722	May 15, 1998	Propylene oxide	75569	October 1, 1988
Norethisterone (Norethin- drone)	68224	October 1, 1989	Propylthiouracil	51525	January 1, 1988
Norethynodrel	68235	February 27, 2001	Pyridine	110861	May 17, 2002
Ochratoxin A	303479	July 1, 1990	Quinoline and its strong acid salts	—	October 24, 1997
Oil Orange SS	2646175	April 1, 1988	Radionuclides	—	July 1, 1989
Oral contraceptives, combined	—	October 1, 1989	Reserpine	50555	October 1, 1989
Oral contraceptives, sequential	—	October 1, 1989	Residual (heavy) fuel oils	—	October 1, 1990
			Riddelliine	23246960	December 3, 2004

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Saccharin		
<u>Delisted April 6, 2001</u>	81072	October 1, 1989
Saccharin, sodium		
<u>Delisted January 17, 2003</u>	128449	January 1, 1988
Safrole	94597	January 1, 1988
Salicylazosulfapyridine	599791	May 15, 1998
Selenium sulfide	7446346	October 1, 1989
Shale-oils	68308349	April 1, 1990
Silica, crystalline (airborne particles of respirable size)	—	October 1, 1988
Soots, tars, and mineral oils (untreated and mildly treated oils and used engine oils)	—	February 27, 1987
Spironolactone	52017	May 1, 1997
Stanozolol	10418038	May 1, 1997
Sterigmatocystin	10048132	April 1, 1988
Streptozotocin (streptozocin)	18883664	January 1, 1988
Strong inorganic acid mists containing sulfuric acid	—	March 14, 2003
Styrene oxide	96093	October 1, 1988
Sulfallate	95067	January 1, 1988
Talc containing asbestiform fibers	—	April 1, 1990
Tamoxifen and its salts	10540291	September 1, 1996
Terrazole	2593159	October 1, 1994
Testosterone and its esters	58220	April 1, 1988
2,3,7,8-Tetrachlorodibenzo-para-dioxin (TCDD)	1746016	January 1, 1988
1,1,2,2-Tetrachloroethane	79345	July 1, 1990
Tetrachloroethylene		
(Perchloroethylene)	127184	April 1, 1988
p-a,a,a-Tetrachloro-toluene	5216251	January 1, 1990
Tetrafluoroethylene	116143	May 1, 1997
Tetranitromethane	509148	July 1, 1990
Thioacetamide	62555	January 1, 1988
4,4'-Thiodianiline	139651	April 1, 1988
Thiodicarb	59669260	August 20, 1999
Thiouracil	141902	June 11, 2004
Thiourea	62566	January 1, 1988
Thorium dioxide	1314201	February 27, 1987
Tobacco, oral use of smokeless products	—	April 1, 1988
Tobacco smoke	—	April 1, 1988
Toluene diisocyanate	26471625	October 1, 1989
ortho-Toluidine	95534	January 1, 1988
ortho-Toluidine hydrochloride	636215	January 1, 1988
para-Toluidine		
<u>Delisted October 29, 1999</u>	106490	January 1, 1990
Toxaphene (Polychlorinated camphenes)	8001352	January 1, 1988
Treosulfan	299752	February 27, 1987
Trichlormethine (Trimustine hydrochloride)	817094	January 1, 1992
Trichloroethylene	79016	April 1, 1988
2,4,6-Trichlorophenol	88062	January 1, 1988
1,2,3-Trichloropropane	96184	October 1, 1992
Trimethyl phosphate	512561	May 1, 1996
2,4,5-Trimethylaniline and its strong acid salts	—	October 24, 1997
Triphenyltin hydroxide	76879	July 1, 1992
Tris(aziridinyl)-para-benzoquinone (Triaziquone)	68768	October 1, 1989

<i>Chemical</i>	<i>CAS Number</i>	<i>Date</i>
Tris(1-aziridinyl)phosphine sulfide (Thiotepa)	52244	January 1, 1988
Tris(2-chloroethyl) phosphate	115968	April 1, 1992
Tris(2,3-dibromopropyl)phosphate	126727	January 1, 1988
Trp-P-1 (Tryptophan-P-1)	62450060	April 1, 1988
Trp-P-2 (Tryptophan-P-2)	62450071	April 1, 1988
Trypan blue (commercial grade)	72571	October 1, 1989
Unleaded gasoline (wholly vaporized)	—	April 1, 1988
Uracil mustard	66751	April 1, 1988
Urethane (Ethyl carbamate)	51796	January 1, 1988
Vanadium pentoxide (orthorhombic crystalline form)	1314621	February 11, 2005
Vinclozolin	50471448	August 20, 1999
Vinyl bromide	593602	October 1, 1988
Vinyl chloride	75014	February 27, 1987
4-Vinylcyclohexene	100403	May 1, 1996
4-Vinyl-1-cyclohexene diepoxide (Vinyl cyclohexene dioxide)	106876	July 1, 1990
Vinyl fluoride	75025	May 1, 1997
Vinyl trichloride (1,1,2-Trichloroethane)	79005	October 1, 1990
2,6-Xylidine (2,6-Dimethylaniline)	87627	January 1, 1991
Zileuton	111406872	December 22, 2000
Zineb		
<u>Delisted October 29, 1999</u>	12122677	January 1, 1990

CHEMICALS KNOWN TO THE STATE TO CAUSE REPRODUCTIVE TOXICITY

<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Acetazolamide	developmental	59665	August 20, 1999
Acetohydroxamic acid	developmental	546883	April 1, 1990
Actinomycin D	developmental	50760	October 1, 1992
All-trans retinoic acid	developmental	302794	January 1, 1989
Alprazolam	developmental	28981977	July 1, 1990
Altretamine	developmental, male	645056	August 20, 1999
Amantadine hydrochloride	developmental	665667	February 27, 2001
Amikacin sulfate	developmental	39831555	July 1, 1990
Aminoglutethimide	developmental	125848	July 1, 1990
Aminoglycosides	developmental	—	October 1, 1992
Aminopterin	developmental, female	54626	July 1, 1987
Amiodarone hydrochloride	developmental, female, male	19774824	August 26, 1997
Amitraz	developmental	33089611	March 30, 1999
Amoxapine	developmental	14028445	May 15, 1998
Anabolic steroids	female, male	—	April 1, 1990
Angiotensin converting enzyme (ACE) inhibitors	developmental	—	October 1, 1992
Anisindione	developmental	117373	October 1, 1992
Arsenic (inorganic oxides)	developmental	—	May 1, 1997

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<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>	<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Aspirin (NOTE: It is especially important not to use aspirin during the last three months of pregnancy, unless specifically directed to do so by a physician because it may cause problems in the unborn child or complications during delivery.)	developmental, female	50782	July 1, 1990	Cyclophosphamide (anhydrous)	developmental, female, male	50180	January 1, 1989
Atenolol	developmental	29122687	August 26, 1997	Cyclophosphamide (hydrated)	developmental, female, male	6055192	January 1, 1989
Auranofin	developmental	34031328	January 29, 1999	Cyhexatin	developmental	13121705	January 1, 1989
Azathioprine	developmental	446866	September 1, 1996	Cytarabine	developmental	147944	January 1, 1989
Barbiturates	developmental	—	October 1, 1992	Dacarbazine	developmental	4342034	January 29, 1999
Beclomethasone dipropionate	developmental	5534098	May 15, 1998	Danazol	developmental	17230885	April 1, 1990
Benomyl	developmental, male	17804352	July 1, 1991	Daunorubicin hydrochloride	developmental	23541506	July 1, 1990
Benzene	developmental, male	71432	December 26, 1997	2,4-D butyric acid	developmental, male	94826	June 18, 1999
Benzodiazepines	developmental	—	October 1, 1992	o,p' -DDT	developmental, female, male	789026	May 15, 1998
Benzphetamine hydrochloride	developmental	5411223	April 1, 1990	p,p' -DDT	developmental, female, male	50293	May 15, 1998
Bischloroethyl nitrosourea (BCNU) (Carmustine)	developmental	154938	July 1, 1990	2,4-DP (dichloroprop)	developmental	120265	April 27, 1999
Bromacil lithium salt	developmental, male	53404196	May 18, 1999	Delisted January 25, 2002			
1-Bromopropane	developmental, female, male	106945	December 7, 2004	Demeclocycline hydrochloride (internal use)	developmental	64733	January 1, 1992
Bromoxynil	developmental	1689845	October 1, 1990	Diazepam	developmental	439145	January 1, 1992
Bromoxynil octanoate	developmental	1689992	May 18, 1999	Diazoxide	developmental	364987	February 27, 2001
Butabarbital sodium	developmental	143817	October 1, 1992	1,2-Dibromo-3-chloropropane (DBCP)	male	96128	February 27, 1987
1,3-Butadiene	developmental, female, male	106990	April 16, 2004	Dichlorophene	developmental	97234	April 27, 1999
1,4-Butanediol dimethane-sulfonate (Busulfan)	developmental	55981	January 1, 1989	Dichlorophenamide	developmental	120978	February 27, 2001
Cadmium	developmental, male	—	May 1, 1997	Diclofop methyl	developmental	51338273	March 5, 1999
Carbamazepine	developmental	298464	January 29, 1999	Dicumarol	developmental	66762	October 1, 1992
Carbon disulfide	developmental, female, male	75150	July 1, 1989	Di(2-ethylhexyl)phthalate (DEHP)	developmental, male	117817	October 24, 2003
Carbon monoxide	developmental	630080	July 1, 1989	Diethylstilbestrol (DES)	developmental	56531	July 1, 1987
Carboplatin	developmental	41575944	July 1, 1990	Diffunisal	developmental, female	22494424	January 29, 1999
Chenodiol	developmental	474259	April 1, 1990	Dihydroergotamine mesylate	developmental	6190392	May 1, 1997
Chinomethionat (Oxythioquinox)	developmental	2439012	November 6, 1998	Diltiazem hydrochloride	developmental	33286225	February 27, 2001
Chlorambucil	developmental	305033	January 1, 1989	m-Dinitrobenzene	male	99650	July 1, 1990
Chlorcyclizine hydrochloride	developmental	1620219	July 1, 1987	o-Dinitrobenzene	male	528290	July 1, 1990
Chlordecone (Kepone)	developmental	143500	January 1, 1989	p-Dinitrobenzene	male	100254	July 1, 1990
Chlordiazepoxide	developmental	58253	January 1, 1992	2,4-Dinitrotoluene	male	121142	August 20, 1999
Chlordiazepoxide hydrochloride	developmental	438415	January 1, 1992	2,6-Dinitrotoluene	male	606202	August 20, 1999
1-(2-Chloroethyl)-3-cyclohexyl-1-nitrosourea (CCNU) (Lomustine)	developmental	13010474	July 1, 1990	Dinitrotoluene (technical grade)	female, male	—	August 20, 1999
Chlorsulfuron	developmental, female, male	64902723	May 14, 1999	Dinocap	developmental	39300453	April 1, 1990
Cidofovir	developmental, female, male	113852372	January 29, 1999	Dinoseb	developmental, male	88857	January 1, 1989
Cladribine	developmental	4291638	September 1, 1996	Diphenylhydantoin (Phenytoin)	developmental	57410	July 1, 1987
Clarithromycin	developmental	81103119	May 1, 1997	Disodium cyanodithioimidocarbonate	developmental	138932	March 30, 1999
Clobetasol propionate	developmental, female	25122467	May 15, 1998	Doxorubicin hydrochloride	developmental, male	23214928	January 29, 1999
Clomiphene citrate	developmental	50419	April 1, 1990	Doxycycline (internal use)	developmental	564250	July 1, 1990
Clorzepate dipotassium	developmental	57109907	October 1, 1992	Doxycycline calcium (internal use)	developmental	94088854	January 1, 1992
Cocaine	developmental, female	50362	July 1, 1989	Doxycycline hyclate (internal use)	developmental	24390145	October 1, 1991
Codeine phosphate	developmental	52288	May 15, 1998	Doxycycline monohydrate (internal use)	developmental	17086281	October 1, 1991
Colchicine	developmental, male	64868	October 1, 1992	Endrin	developmental	72208	May 15, 1998
Conjugated estrogens	developmental	—	April 1, 1990	Epichlorohydrin	male	106898	September 1, 1996
Cyanazine	developmental	21725462	April 1, 1990	Ergotamine tartrate	developmental	379793	April 1, 1990
Cycloate	developmental	1134232	March 19, 1999	Estropipate	developmental	7280377	August 26, 1997
Cyclohexanol	male	108930	November 6, 1998	Ethionamide	developmental	536334	August 26, 1997
Delisted January 25, 2002				Ethyl alcohol in alcoholic beverages	developmental	—	October 1, 1987
Cycloheximide	developmental	66819	January 1, 1989	Ethyl dipropylthiocarbamate	developmental	759944	April 27, 1999
				Ethylene dibromide	developmental, male	106934	May 15, 1998
				Ethylene glycol monoethyl ether	developmental, male	110805	January 1, 1989
				Ethylene glycol monomethyl ether	developmental, male	109864	January 1, 1989
				Ethylene glycol monoethyl ether acetate	developmental, male	111159	January 1, 1993
				Ethylene glycol monomethyl ether acetate	developmental, male	110496	January 1, 1993
				Ethylene oxide	female	75218	February 27, 1987
				Ethylene thiourea	developmental	96457	January 1, 1993

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<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>	<i>Chemical</i>	<i>Type of Reproductive Toxicity</i>	<i>CAS No.</i>	<i>Date Listed</i>
Etodolac	developmental, female	41340254	August 20, 1999	Minocycline hydrochloride (internal use)	developmental	13614987	January 1, 1992
Etoposide	developmental	33419420	July 1, 1990	Misoprostol	developmental	59122462	April 1, 1990
Etretinate	developmental	54350480	July 1, 1987	Mitoxantrone hydrochloride	developmental	70476823	July 1, 1990
Fenoxaprop ethyl	developmental	66441234	March 26, 1999	Myclobutanil	developmental, male	88671890	April 16, 1999
Filgrastim	developmental	121181531	February 27, 2001	Nabam	developmental	142596	March 30, 1999
Fluazifop butyl	developmental	69806504	November 6, 1998	Nafarelin acetate	developmental	86220420	April 1, 1990
Flunisolide	developmental, female	3385033	May 15, 1998	Neomycin sulfate (internal use)	developmental	1405103	October 1, 1992
Fluorouracil	developmental	51218	January 1, 1989	Netilmicin sulfate	developmental	56391572	July 1, 1990
Fluoxymesterone	developmental	76437	April 1, 1990	Nickel carbonyl	developmental	13463393	September 1, 1996
Flurazepam hydrochloride	developmental	1172185	October 1, 1992	Nicotine	developmental	54115	April 1, 1990
Flurbiprofen	developmental, female	5104494	August 20, 1999	Nifedipine	developmental, female, male	21829254	January 29, 1999
Flutamide	developmental	13311847	July 1, 1990	Nimodipine	developmental	66085594	April 24, 2001
Fluticasone propionate	developmental	80474142	May 15, 1998	Nitrapyrin	developmental	1929824	March 30, 1999
Fluvalinate	developmental	69409945	November 6, 1998	Nitrofurantoin	male	67209	April 1, 1991
Ganciclovir sodium	developmental, male	82410320	August 26, 1997	Nitrogen mustard (Mechlorethamine)	developmental	51752	January 1, 1989
Gemfibrozil	female, male	25812300	August 20, 1999	Nitrogen mustard hydrochloride (Mechlorethamine hydrochloride)	developmental	55867	July 1, 1990
Goserelin acetate	developmental, female, male	65807025	August 26, 1997	Norethisterone (Norethindrone)	developmental	68224	April 1, 1990
Halazepam	developmental	23092173	July 1, 1990	Norethisterone acetate (Norethindrone acetate)	developmental	51989	October 1, 1991
Halobetasol propionate	developmental	66852548	August 20, 1999	Norethisterone (Norethindrone)/Ethinyl estradiol	developmental	68224/57636	April 1, 1990
Haloperidol	developmental, female	52868	January 29, 1999	Norethisterone (Norethindrone)/Mestranol	developmental	68224/72333	April 1, 1990
Halothane	developmental	151677	September 1, 1996	Norgestrel	developmental	6533002	April 1, 1990
Heptachlor	developmental	76448	August 20, 1999	Oxadiazon	developmental	19666309	May 15, 1998
Hexachlorobenzene	developmental	118741	January 1, 1989	Oxazepam	developmental	604751	October 1, 1992
Hexamethylphosphoramide	male	680319	October 1, 1994	Oxydemeton methyl	female, male	301122	November 6, 1998
Histrelin acetate	developmental	—	May 15, 1998	Oxymetholone	developmental	434071	May 1, 1997
Hydramethylnon	developmental, male	67485294	March 5, 1999	Oxytetracycline (internal use)	developmental	79572	January 1, 1991
Hydroxyurea	developmental	127071	May 1, 1997	Oxytetracycline hydrochloride (internal use)	developmental	2058460	October 1, 1991
Idarubicin hydrochloride	developmental, male	57852570	August 20, 1999	Paclitaxel	developmental, female, male	33069624	August 26, 1997
Ifosfamide	developmental	3778732	July 1, 1990	Paramethadione	developmental	115673	July 1, 1990
Iodine-131	developmental	10043660	January 1, 1989	Penicillamine	developmental	52675	January 1, 1991
Isotretinoin	developmental	4759482	July 1, 1987	Pentobarbital sodium	developmental	57330	July 1, 1990
Lead	developmental, female, male	—	February 27, 1987	Pentostatin	developmental	53910251	September 1, 1996
Leuprolide acetate	developmental, female, male	74381536	August 26, 1997	Phenacemide	developmental	63989	July 1, 1990
Levodopa	developmental	59927	January 29, 1999	Phenprocoumon	developmental	435972	October 1, 1992
Levonorgestrel implants	female	797637	May 15, 1998	Pimozide	developmental, female	2062784	August 20, 1999
Linuron	developmental	330552	March 19, 1999	Pipobroman	developmental	54911	July 1, 1990
Lithium carbonate	developmental	554132	January 1, 1991	Plicamycin	developmental	18378897	April 1, 1990
Lithium citrate	developmental	919164	January 1, 1991	Polybrominated biphenyls	developmental	—	October 1, 1994
Lorazepam	developmental	846491	July 1, 1990	Polychlorinated biphenyls	developmental	—	January 1, 1991
Lovastatin	developmental	75330755	October 1, 1992	Potassium dimethyldithio-carbamate	developmental	128030	March 30, 1999
Mebendazole	developmental	31431397	August 20, 1999	Pravastatin sodium	developmental	81131706	March 3, 2000
Medroxyprogesterone acetate	developmental	71589	April 1, 1990	Prednisolone sodium phosphate	developmental	125020	August 20, 1999
Megestrol acetate	developmental	595335	January 1, 1991	Procabazine hydrochloride	developmental	366701	July 1, 1990
Melphalan	developmental	148823	July 1, 1990	Propargite	developmental	2312358	June 15, 1999
Menotropins	developmental	9002680	April 1, 1990	Propylthiouracil	developmental	51525	July 1, 1990
Meprobamate	developmental	57534	January 1, 1992	Pyrimethamine	developmental	58140	January 29, 1999
Mercaptopurine	developmental	6112761	July 1, 1990	Quazepam	developmental	36735225	August 26, 1997
Mercury and mercury compounds	developmental	—	July 1, 1990	Quizalofop-ethyl	male	76578148	December 24, 1999
Methacycline hydrochloride	developmental	3963959	January 1, 1991				
Metham sodium	developmental	137428	May 15, 1998				
Methazole	developmental	20354261	December 1, 1999				
Methimazole	developmental	60560	July 1, 1990				
Methotrexate	developmental	59052	January 1, 1989				
Methotrexate sodium	developmental	15475566	April 1, 1990				
Methyl bromide as a structural fumigant	developmental	74839	January 1, 1993				
Methyl chloride	developmental	74873	March 10, 2000				
Methyl mercury	developmental	—	July 1, 1987				
N-Methylpyrrolidone	developmental	872504	June 15, 2001				
Methyltestosterone	developmental	58184	April 1, 1990				
Metiram	developmental	9006422	March 30, 1999				
Midazolam hydrochloride	developmental	59467968	July 1, 1990				

Chemical	Type of Reproductive Toxicity	CAS No.	Date Listed
Resmethrin	developmental	10453868	November 6, 1998
Retinol/retinyl esters, when in daily dosages in excess of 10,000 IU, or 3,000 retinol equivalents. (NOTE: Retinol/retinyl esters are required and essential for maintenance of normal reproductive function. The recommended daily level during pregnancy is 8,000 IU.)	developmental	—	July 1, 1989
Ribavirin	developmental	36791045	April 1, 1990
Rifampin	male	36791045	February 27, 2001
	developmental, female	13292461	February 27, 2001
Secobarbital sodium	developmental	309433	October 1, 1992
Sermorelin acetate	developmental	—	August 20, 1999
Sodium dimethylthiocarbamate	developmental	128041	March 30 1999
Sodium fluoroacetate	male	62748	November 6, 1998
Streptomycin sulfate	developmental	3810740	January 1, 1991
Streptozocin (streptozotocin)	developmental, female, male	18883664	August 20, 1999
Sulfasalazine	male	599791	January 29, 1999
Sulindac	developmental, female	38194502	January 29, 1999
Tamoxifen citrate	developmental	54965241	July 1, 1990
Temazepam	developmental	846504	April 1, 1990
Teniposide	developmental	29767202	September 1, 1996
Terbacil	developmental	5902512	May 18, 1999
Testosterone cypionate	developmental	58208	October 1, 1991
Testosterone enanthate	developmental	315377	April 1, 1990
2,3,7,8-Tetrachlorodibenzo- paradoxin (TCDD)	developmental	1746016	April 1, 1991
Tetracycline (internal use)	developmental	60548	October 1, 1991
Tetracyclines (internal use)	developmental	—	October 1, 1992
Tetracycline hydrochloride (internal use)	developmental	64755	January 1, 1991
Thalidomide	developmental	50351	July 1, 1987
Thioguanine	developmental	154427	July 1, 1990
Thiophanate methyl	female, male	23564058	May 18, 1999
Tobacco smoke (primary)	developmental, female, male	—	April 1, 1988
Tobramycin sulfate	developmental	49842071	July 1, 1990
Toluene	developmental	108883	January 1, 1991
Triadimefon	developmental, female, male	43121433	March 30, 1999
Triazolam	developmental	28911015	April 1, 1990
Tributyltin methacrylate	developmental	2155706	December 1, 1999
Trientine hydrochloride	developmental	38260014	February 27, 2001
Triforine	developmental	26644462	June 18, 1999
Trilostane	developmental	13647353	April 1, 1990
Trimethadione	developmental	127480	January 1, 1991
Trimetrexate glucuronate	developmental	82952645	August 26, 1997
Triphenyltin hydroxide	developmental	76879	March 18, 2002
Uracil mustard	developmental, female, male	66751	January 1, 1992
Urethane	developmental	51796	October 1, 1994
Urofollitropin	developmental	97048130	April 1, 1990
Valproate (Valproic acid)	developmental	99661	July 1, 1987
Vinblastine sulfate	developmental	143679	July 1, 1990
Vinclozolin	developmental	50471448	May 15, 1998
Vincristine sulfate	developmental	2068782	July 1, 1990
Warfarin	developmental	81812	July 1, 1987
Zileuton	developmental, female	111406872	December 22, 2000

Date: March 4, 2005

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (Proposition 65)

NOTICE TO INTERESTED PARTIES

CHEMICAL LISTED EFFECTIVE **MARCH 4,** **2005** AS KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is adding *2,4-hexadienal* (89% *trans*, *trans isomer*; 11% *cis*, *trans isomer*) to the list of chemicals known to the state to cause cancer for purposes of the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code section 25249.5 et seq., Proposition 65). The listing of the chemical is effective **March 4, 2005**.

2,4-Hexadienal (89% *trans*, *trans isomer*; 11% *cis*, *trans isomer*) is listed as a chemical known to the State of California to cause cancer. The listing of this chemical is based on a formal identification by an authoritative body (i.e., the National Toxicology Program ["NTP"]) that the chemical causes cancer. Regulations governing the listing of chemicals under the "authoritative bodies" mechanism are published in Title 22, Cal. Code of Regs. Section 12306.

The reader is directed to the Notice of Intent to List *2,4-hexadienal* published in the December 31, 2004, issue of the *California Regulatory Notice Register* (Register No. 2004, No. 53-Z) for the documentation supporting OEHHA's determination that the criteria for administrative listing have been satisfied for this chemical. The documentation was developed to explain the basis for listing this chemical via the authoritative bodies provision of Proposition 65. OEHHA analyses of dose-response data to establish the no significant risk level (NSRL) for this chemical under Proposition 65 have not been conducted. The priority status of the development of an NSRL for *2,4-hexadienal* (89% *trans*, *trans isomer*; 11% *cis*, *trans isomer*) will be announced in a future OEHHA *Proposition 65 Status Report for Safe Harbor Levels*, available at <http://www.oehha.ca.gov/prop65.html>.

A complete, updated Proposition 65 list is published elsewhere in this issue of the *California Regulatory Notice Register*. The following table outlines the

addition of 2,4-hexadienal (89% *trans*, *trans isomer*; 11% *cis*, *trans isomer*) to the Proposition 65 chemical list as known to the State to cause cancer:

Cancer

Chemical	CAS No.	Toxicological Endpoint	Listing Mechanism ¹
2,4-Hexadienal (89% <i>trans</i> , <i>trans isomer</i> ; 11% <i>cis</i> , <i>trans isomer</i>)	—	cancer	AB

¹ Listing mechanism:

AB—"authoritative bodies" mechanism (Title 22, Cal. Code of Regs. section 12306)

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

NOTICE OF INTENT TO LIST CHEMICALS

The Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65), codified at Health and Safety Code section 25249.5 et seq., provides two primary mechanisms for administratively listing chemicals that are known to the State to cause cancer or reproductive toxicity (Health and Safety Code section 25249.8(b)). A chemical may be listed under Proposition 65 when a body considered to be authoritative by the state's qualified experts has formally identified the chemical as causing cancer or reproductive toxicity. The following entities are identified as authoritative bodies for purposes of Proposition 65, as it pertains to chemicals known to cause reproductive toxicity: the U.S. Environmental Protection Agency, the International Agency for Research on Cancer solely as to transplacental carcinogenicity, the U.S. Food and Drug Administration, the National Institute for Occupational Safety and Health, and the National Toxicology Program (NTP) solely as to final reports of the NTP's Center for Evaluation of Risks to Human Reproduction. The criteria for listing chemicals through the authoritative bodies mechanism are set forth in Title 22, California Code of Regulations, section 12306.

As the lead agency for the implementation of Proposition 65, the Office of Environmental Health Hazard Assessment (OEHHA), within the California Environmental Protection Agency intends to list the chemicals identified in the table below as known to the State to cause reproductive toxicity, pursuant to this

administrative mechanism as provided in Health and Safety Code section 25249.8(b) and Title 22, Cal. Code of Regs., section 12306.

Relevant information related to the possible listing of *butyl benzyl phthalate*, *di-n-butyl phthalate*, *di-n-hexyl phthalate*, and *di-isodecyl phthalate* was requested in a notice published in the *California Regulatory Notice Register* on May 28, 2004 (Register 04, No. 22-Z). The opportunity to request a public forum was provided, but no such request was received and no forum was held. A request for an extension of the public comment period was made and granted for the four named phthalates. The extended comment period closed on August 26, 2004. Comments were received and reviewed by OEHHA staff in consideration of the listing of the four phthalates. OEHHA has determined that *butyl benzyl phthalate*, *di-n-butyl phthalate*, *di-n-hexyl phthalate*, and *di-isodecyl phthalate*, meet the criteria for listing under Title 22, Cal. Code of Regs., section 12306, and therefore OEHHA is issuing this notice of intent to list these chemicals under Proposition 65. A document providing more detail on the basis for the listing of these chemicals can be obtained from OEHHA's Proposition 65 Implementation Office at the address and telephone number indicated below, or from the OEHHA Web site at: <http://www.oehha.ca.gov/>. Anyone wishing to provide comments as to whether the listing of these chemicals meets the criteria for listing provided in Title 22, Cal. Code of Regs., section 12306 should send written comments in triplicate, along with any supporting documentation, by mail or by fax to:

Ms. Cynthia Oshita
Office of Environmental Health
Hazard Assessment
Street Address: 1001 I Street
Sacramento, California 95814
Mailing Address: P.O. Box 4010
Sacramento, California 95812-4010
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments may also be delivered in person or by courier to the above address. It is requested, but not required, that written comments and supporting documentation be transmitted via email addressed to: coshita@oehha.ca.gov. In order to be considered, comments must be postmarked (if sent by mail) or received at OEHHA (if hand-delivered, sent by FAX, or transmitted electronically) by 5:00 p.m. on Monday, April 4, 2005.

The following chemical has been determined by OEHHA to meet the criteria set forth in Title 22, Cal.

Code of Regs., section 12306 for listing as causing reproductive toxicity under the authoritative bodies mechanism:

Chemical	CAS No.	Reference
Butyl benzyl phthalate (BBP)	85-68-7	NTP-CERHR (2003a)
Di- <i>n</i> -butyl phthalate (DBP)	84-74-2	NTP-CERHR (2003b)
Di- <i>n</i> -hexyl phthalate (DnHP)	84-75-3	NTP-CERHR (2003c)
Di-isodecyl phthalate (DIDP)	68515-49-1 ¹ 26761-40-0	NTP-CERHR (2003d)

¹ DIDP is a complex substance, assigned two different CAS Numbers. See NTP-CEHR (2003d) for details.

REFERENCE

National Toxicology Program—Center for the Evaluation of Risks to Human Reproduction (NTP-CERHR, 2003a). *NTP-CERHR Monograph on the Potential Human Reproductive and Developmental Effects of Butyl Benzyl Phthalate (BBP)*. NIH Publication No. 03-4487.

National Toxicology Program—Center for the Evaluation of Risks to Human Reproduction (NTP-CERHR, 2003b). *NTP-CERHR Monograph on the Potential Human Reproductive and Developmental Effects of Di-*n*-Butyl Phthalate (DBP)*. NIH Publication No. 03-4486.

National Toxicology Program—Center for the Evaluation of Risks to Human Reproduction (NTP-CERHR, 2003c). *NTP-CERHR Monograph on the Potential Human Reproductive and Developmental Effects of Di-*n*-Hexyl Phthalate (DnHP)*. NIH Publication No. 03-4489.

National Toxicology Program—Center for the Evaluation of Risks to Human Reproduction (NTP-CERHR, 2003d). *NTP-CERHR Monograph on the Potential Human Reproductive and Developmental Effects of Di-Isodecyl Phthalate (DIDP)*. NIH Publication No. 03-4485.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

BOARD OF EQUALIZATION

Administration of the Annual Racehorse Tax

The regulatory action deals with the administration of the Annual Racehorse Tax.

Title 18

California Code of Regulations

AMEND: 1045

Filed 02/17/05

Effective 03/19/05

Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF EQUALIZATION

Application for Equalization Under Revenue and Taxation Code

This action amends procedures governing escape assessment appeals under Revenue and Taxation Code section 469.

Title 18

California Code of Regulations

AMEND: 305.3

Filed 02/18/05

Effective 03/20/05

Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF EQUALIZATION

Manufacturing Equipment

This action conforms regulations with the statutory requirements of Revenue and Taxation Code section 6377(g), which renders inoperative the partial tax exemption for manufacturing equipment sales if jobs on the preceding January 1 do not exceed by a certain number the total employment in the state on January 1, 1994.

Title 18

California Code of Regulations

AMEND: 1525.2

Filed 02/16/05

Effective 02/16/05

Agency Contact: Diane G. Olson (916) 322-9569

BOARD OF FORESTRY AND FIRE PROTECTION

Fuel Hazard Reduction Emergency Rule

Section 4592 of the Public Resources Code provides that, in an emergency, a registered professional forester (RPF) may file an emergency notice with the Department that shall allow commencement of timber operations. This emergency filing is the second readoption of an emergency regulatory action which added fuel hazard reduction to those conditions for which emergency notice procedures under Public Resources Code section 4592 are authorized.

Title 14

California Code of Regulations

ADOPT: 1052.4 AMEND: 895.1, 1052, 1052.1

Filed 02/22/05

Effective 02/24/05
 Agency Contact:
 Christopher Zimny (916) 653-9418

DEPARTMENT OF FOOD AND AGRICULTURE
Oriental Fruit Fly Interior Quarantine

This emergency regulatory action will remove approximately 116 square miles of area surrounding the Santa Ana area of Orange County from the area of quarantine for Oriental fruit fly.

Title 3
 California Code of Regulations
 AMEND: 3423(b)
 Filed 02/23/05
 Effective 02/23/05
 Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF JUSTICE
Surety Bond Discount Buying Organization

This regulatory action revises the "Surety Bond Discount Buying Organization" form, submitted by the Secretary of State and approved by the Attorney General pursuant to Government Code section 11110. The regulation is submitted for filing with the Secretary of State and printing only.

Title 11
 California Code of Regulations
 AMEND: 63.5
 Filed 02/18/05
 Effective 02/18/05
 Agency Contact: Anne M. Burr (415) 703-1403

DEPARTMENT OF JUSTICE
Health Facility Transaction Regulation Amendment

The regulatory action deals with health facility transactions.

Title 11
 California Code of Regulations
 AMEND: 995.5
 Filed 02/16/05
 Effective 03/18/05
 Agency Contact: Mark J. Urban (916) 324-5347

DEPARTMENT OF MOTOR VEHICLES
Motor Carrier Permit (MCP) Program

Section 34621 of the Vehicle Code requires an annual renewal application for the Motor Carrier Permit Program. This rulemaking action incorporates by reference the form that must be completed to apply for renewal. It also makes several minor clarifications to the regulations.

Title 13
 California Code of Regulations
 AMEND: 220.04, 220.12, 221.12
 Filed 02/22/05

Effective 03/24/05
 Agency Contact:
 Christie Patrick (916) 657-5567

DEPARTMENT OF SOCIAL SERVICES
Family Reunification Child Support Referral Requirements

This is the resubmittal of a previously disapproved regulatory action (OAL file no. 04-0730-01S; ORD #0403-08) that deals with the determination made by a county welfare department as to whether it would be in the best interest of the child to make an initial referral of the case to the local child support agency for establishment of a support order for the reimbursement of public assistance (AFDC-FC). Pursuant to Government Code section 11343.4, subdivision (c), this regulatory action will become effective upon filing with the Secretary of State on February 16, 2005.

Title MPP
 California Code of Regulations
 ADOPT: 31-503 AMEND: 31-206, 45-201
 Filed 02/16/05
 Effective 02/16/05
 Agency Contact: Alison Garcia (916) 657-2586

DEPARTMENT OF VETERANS AFFAIRS
Definition of Levels of Care

This emergency readoption deletes a requirement that no direct admissions to a Skilled Nursing Facility ("SNF") are allowed from outside sources except when the SNF occupancy rate is below 75%. The regulation now requires that for SNFs "No direct admission to this level of care is allowed from outside sources if such admission would preclude the admission, to this level of care, of a patient who is already a current resident of a California Veterans Home." (Prior OAL Files 04-0917-05E and 04-1007-02ER.)

Title 12
 California Code of Regulations
 AMEND: 503(f)
 Filed 02/16/05
 Effective 02/16/05
 Agency Contact: Jerry R. Jones (916) 653-2192

PUBLIC UTILITIES COMMISSION
CPUC Rules of Practice and Procedure

This rulemaking action revises the Commission's procedures to allow, but not require, the use of electronic mail to serve documents in all its formal proceedings.

Title 20
 California Code of Regulations
 ADOPT: 2.3.1 AMEND: 1.1, 2.2, 2.3, 8.2, 14.5, 15, 17.1, 30, 31, 45, 47, 48, 51.1, 75, 77.2, 82, 86.2, 88
 Filed 02/22/05
 Effective 03/24/05
 Agency Contact: Anne Simon (415) 703-2014

STATE ALLOCATION BOARD

Leroy F. Greene School Facilities Act of 1998—
Bond Accountability

In this rulemaking action, the State Allocation Board amends and adopts regulations under the Leroy F. Greene School Facilities Act of 1998, including adopting a regulation pertaining to local bond reimbursement fund releases and the amendment of the “Fund Release Authorization” form.

Title 2

California Code of Regulations

ADOPT: 1859.90.1 AMEND: 1859.2

Filed 02/23/05

Effective 02/23/05

Agency Contact: Robert Young (916) 445-0083

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN OCTOBER 6, 2004
TO FEBRUARY 23, 2005**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation’s titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

10/13/04 ADOPT: 1015, 1019, 1048, 1050
AMEND: 1000, 1002, 1004, 1006, 1008,
1012, 1014, 1016, 1018, 1020, 1022,
1024, 1026, 1027, 1028, 1030, 1032,
1034, 1038, 1040, 1042, 1044, 1046

Title 2

02/23/05 ADOPT: 1859.90.1 AMEND: 1859.2
02/15/05 AMEND: 1859.81
02/03/05 AMEND: 1859.106
02/03/05 ADOPT: 1859.78.8 AMEND: 1859.2,
1859.60, 1859.61, 1859.78.6
01/31/05 AMEND: 1859.2, 1589.33, 1859.35,
1859.77.3, 1859.82, 1859.83
01/26/05 ADOPT: 20107
01/04/05 AMEND: 18703.4, 18730, 18940.2,
18942.1, 18943
01/03/05 ADOPT: Division 8, Chapter 108, Sec-
tion 59530.
12/31/04 ADOPT: 18229
12/31/04 AMEND: 18545
12/20/04 ADOPT: 1859.71, 1859.78.1 AMEND:
1859.2, 1859.73.2, 1859.79.2, 1859.82,
1859.83

12/16/04 ADOPT: 1859.51.1, 1859.70.2 AMEND:
1859.2, 1859.51, 1859.70, 1859.103,
12/06/04 AMEND: 1859.2, 1859.51
11/30/04 AMEND: Div. 8, Ch. 29, Sec. 50000
11/24/04 AMEND: 1866, 1866.1, 1866.2, 1866.4,
1866.4.1, 1866.4.2, 1866.4.3, 1866.5,
1866.5.1, 1866.7, 1866.13
11/22/04 AMEND: 58700
11/18/04 AMEND: 561, 561.1, 561.2, 561.4, 561.5,
561.6, 561.7, 561.8, 561.9, 561.10,
561.11, 561.12, 561.13, 561.14
11/10/04 ADOPT: 1859.163.1, 1859.163.2,
1859.163.3, 1859.164.2, 1859.167.1
AMEND: 1859.2, 1859.145, 1859.145.1,
189.160, 1859.161, 1859.162, 1859.163,
1859.164, 1859.164.1, 1859.165,
1859.166, 1859.167, 1859.168, 1859.171
11/09/04 AMEND: 18530.8
11/04/04 AMEND: 1859.71.2, 1859.78.4
11/02/04 ADOPT: 1859.123.1 AMEND: 1859.2,
1859.73.1, 1859.81, 1859.83, 1859.90,
1859.120, 1859.121, 1859.122,
1859.122.1, 1859.122.2, 1859.123,
1859.124, 1859.124.1, 1859.125,
1859.125.1, 1859.126, 1859.127,
1859.129, 1859.130
11/02/04 AMEND: 1859.51, 1859.105
10/26/04 ADOPT: 18361.1, 18361.2, 18361.3,
18361.4, 18361.5, 18361.6, 18361.7,
18361.8, AMEND: 18361.5, 18406,
18450.4, 18702.2, 18702.5, 18740,
18747, 18754, 18951 REPEAL: 18361

Title 3

02/23/05 AMEND: 3423(b)
02/15/05 ADOPT: 4603(g)
02/02/05 AMEND: 3430(b)
01/21/05 AMEND: 3700 (b)(c)
01/21/05 ADOPT: 3700
01/14/05 AMEND: 3700(c)
01/13/05 AMEND: 3962(a)
12/20/04 REPEAL: 305, 306
11/29/04 AMEND: 3423(b)
11/17/04 AMEND: 1703.3
11/16/04 AMEND: Subchapter 1.1
11/10/04 AMEND: 3601(g)
11/03/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3,
6784 AMEND: 6000, REPEAL: 6450,
6450.1, 6450.2, 6250.3, 6784
10/25/04 AMEND: 3700(c)
10/14/04 AMEND: 3423(b)
10/13/04 AMEND: 3700(b)
10/06/04 AMEND: 3877(a), 3883, 3885(a)(b),
4603(f) REPEAL: 3902
10/06/04 ADOPT: 2042, 2100, 2101, 2102

Title 4

02/11/05 ADOPT: 7030, 7031, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7039, 7040, 7041, 7042, 7043, 7044, 7045, 7046, 7047, 7048, 7049, 7050

02/04/05 AMEND: 1371

01/28/05 ADOPT: 12270, 12271, 12272

12/23/04 ADOPT: 10163, 10164 AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162

12/20/04 ADOPT: 12200, 12200.1, 12200.3, 12200.5, 12200.6, 12200.7, 12200.9, 12200.10A, 12200.10B, 12200.10C, 12200.11, 12200.13, 12200.14, 12200.15, 12200.16, 12200.17, 12200.18, 12200.20, 12200.21, 12201, 12202, 12203, 12203A, 12203.1, 12203.2, 12203.3, 12203.

12/16/04 ADOPT: 10300, 10301, 10302, 10303, 10304, 10305, 10306, 10307, 10308, 10309, 10310, 10311, 10312, 10313, 10314, 10315, 10316, 10317, 10318, 10319, 10320, 10321, 10322, 10323, 10324, 10325, 10326, 10327, 10328, 10329, 10330, 10331, 10332, 10333, 10334,

12/16/04 ADOPT: 144

11/29/04 AMEND: 1846.5

11/23/04 ADOPT: 2444 AMEND: 2241, 2242, 2243, 2245, 2250, 2270, 2271, 2272, 2300, 2401, 2422, 2423, 2424, 2425, 2426, 2441, 2442, 2443, 2505, 2507, 2511, 2512

11/08/04 ADOPT: 12360, 12370

10/18/04 ADOPT: 12270, 12271, 12272

10/14/04 AMEND: 1402, 1471, 2056, 2101, 2102, 2103

10/13/04 AMEND: 1371

Title 5

02/10/05 ADOPT: 19817.1, 19826.1, 19828.1, 19837 AMEND: 19814, 19814.1, 19817, 19826, 19828

02/09/05 REPEAL: 9540, 9541, 9542, 9543, 9544, 9545, 9546, 9547, 9548, 9549, 9550

01/31/05 AMEND: 80048.3, 80457, 80523.1 REPEAL: 80413.1

01/19/05 ADOPT: 19814.1, 19832, 19833, 19834, 19835, 19836 REPEAL: 19814

01/10/05 ADOPT: 3088.1, 3088.2

12/08/04 ADOPT: 9517.1 AMEND: 9515, 9517

11/16/04 ADOPT: 80089.3, 80089.4

11/15/04 ADOPT: 6116, 6126 AMEND: 6100, 6115, 6125

11/09/04 ADOPT: 14105

11/04/04 AMEND: 11981, 11985

11/02/04 AMEND: 58311, 58316

Title 7

12/06/04 AMEND: 213, 218

Title 8

02/04/05 AMEND: 5146

01/26/05 AMEND: 5144

01/26/05 AMEND: 3456

01/24/05 AMEND: 3427

12/31/04 ADOPT: 9785.4, AMEND: 9725, 9726, 9727, 9785, 9785.2, 9785.3, 9805, 10150, 10152, 10156, 10158, 10160, 10163, 10165.5 REPEAL: 10151, 10154

12/31/04 ADOPT: 9768.1, 9768.2, 9768.3, 9768.4, 9768.5, 9768.6, 9768.7, 9768.8, 9768.9, 9768.10, 9768.11, 9768.12, 9768.13, 9768.14, 9768.15, 9768.16, 9768.17

12/30/04 AMEND: 3380(d)

12/27/04 ADOPT: 32032, 32033, 32034, 32035, 81000, 81005, 81010, 81020, 81030, 81040, 81050, 81055, 81060, 81065, 81070, 81075, 81080, 81090, 81100, 81105, 81110, 81115, 81120, 81125, 81130, 81135, 81140, 81145, 81150, 81155, 81160, 81165, 81170, 81175, 81180, 81

12/15/04 AMEND: 9789.11

12/15/04 ADOPT: 9788.01, 9788.1, 9788.11, 9788.2, 9788.3, 9788.31, 9788.32, 9788.4, 9788.45, 9788.5, 9788.6, 9788.7, 9788.8, 9788.9, 9788.91

12/09/04 ADOPT: 9792.6, 9792.7, 9792.8, 9792.9, 9792.10, 9792.11 REPEAL: 9792.6

12/08/04 AMEND: 1602(a)

12/08/04 AMEND: 3210, 3212

12/07/04 AMEND: 3314

11/09/04 AMEND: 6777

11/03/04 AMEND: 15220, 15220.1, 15220.3, 15220.4

11/03/04 AMEND: 1541(l)(1)

11/01/04 ADOPT: 9767.1, 9767.2, 9767.3, 9767.4, 9767.5, 9767.6, 9767.7, 9767.8, 9767.9, 9767.10, 9767.11, 9767.12, 9767.13, 9767.14

10/19/04 ADOPT: 16421, 16422, 16423, 16424 AMEND: 16425, 16426, 16427, 16428, 16429, 16431, 16432, 16433, 16434, 16435, 16436, 16437, 16438, 16439 REPEAL: 16430, 16435.5

10/07/04 AMEND: 5144

10/07/04 AMEND: 3456

10/06/04 AMEND: 344.30

Title 9

01/25/05 AMEND: 9525

12/06/04 ADOPT: 9805, 9868 AMEND: 9801, 9801.5, 9804, 9812, 9820, 9824, 9848, 9867, 9878

10/28/04 AMEND: 9525

Title 10

02/09/05 AMEND: 260.165
 01/14/05 AMEND: 2498.6
 01/07/05 ADOPT: 2699.6608 AMEND: 2699.100,
 2699.200, 2699.201, 2699.205, 2699.209,
 2699.400, 2699.401, 2699.6500,
 2699.6600, 2699.6606, 2699.6607,
 2699.6611, 2699.6613, 2699.6617,
 2699.6619, 2699.6625, 2699.6631,
 2699.6705, 2699.6715, 2699.6717,
 2699.6725, 2699.
 12/28/04 AMEND: 2698.30, 2698.31, 2698.32,
 2698.33, 2698.34, 2698.35, 2698.36,
 2698.37, 2698.38, 2698.39, 2698.40,
 2698.41 REPEAL: 2698.42, 2698.43,
 2698.44, 2698.45
 12/27/04 AMEND: 4010, 4011, 4013, 4016, 4018,
 4019, 5000, 5001, 5002, 5003, 5005,
 5006, 5007, 5008, 509, 5010, 5013, 5020,
 5050, 5051, 5060, 5061, 5070, 5101,
 5110, 5111, 5112, 5113, 5114, 5115,
 5116, 5117, 5118, 5119, 5260, 5261,
 5262, 5263, 5264, 5266, 5267, 5
 12/27/04 AMEND: 2580.1, 2580.2, 2580.3,
 2580.4, 2580.5, 2580.6, 2580.7, 2580.8,
 2580.9
 12/22/04 AMEND: 2498.5
 12/22/04 AMEND: 2498.4.9, 2498.5
 12/21/04 AMEND: 2498.4.9, 2498.5
 12/21/04 AMEND: 2498.4.9, 2498.5
 12/21/04 AMEND: 2498.4.9, 2498.5
 12/17/04 ADOPT: 2194., 2194.1, 2194.2, 2194.3,
 2194.4, 2194.5, 2194.6, 2194.7, 2194.8
 11/19/04 ADOPT: 2361
 10/27/04 AMEND: 260.102.14
 10/26/04 AMEND: 2498.4.9, 2498.5

Title 11

02/18/05 AMEND: 63.5
 02/16/05 AMEND: 995.5
 01/26/05 AMEND: 1080
 01/19/05 ADOPT: 968.97, 968.99 AMEND:
 968.20, 968.35, 968.44, 968.60
 01/05/05 ADOPT: 51.22
 01/03/05 AMEND: 26.4
 01/03/05 AMEND: 51.17
 12/07/04 AMEND: 51.16
 11/01/04 ADOPT: 4001, 4002, 4003, 4004, 4005,
 4006 AMEND: 984.1
 10/19/04 ADOPT: 2037, 2038 AMEND: 2010,
 2037, 2050

Title 12

02/16/05 AMEND: 503(f)
 10/08/04 AMEND: 503(f)

Title 13

02/22/05 AMEND: 220.04, 220.12, 221.12
 02/08/05 AMEND: 330.32
 02/02/05 AMEND: 124.92, 124.93
 01/31/05 AMEND: 1956.1, 1956.2, 1956.3, 1956.4
 01/27/05 ADOPT: 2485
 01/26/05 ADOPT: 15.07
 01/07/05 AMEND: 1969
 01/04/05 AMEND: 553.70
 12/28/04 AMEND: 1
 12/27/04 ADOPT: 150.06
 12/27/04 ADOPT: 1971
 12/23/04 AMEND: 1151.1, 1151.2, 1151.3, 1151.4,
 1151.5, 1151.5.6, 1151.7, 1151.8,
 1151.8.4, 1151.9, 1151.9.1, 1151.10,
 1152.2, 1152.3, 1152.4, 1152.4.1, 1152.6,
 1152.7, 1152.7.1, 1152.8
 12/22/04 ADOPT: 151.00
 12/16/04 AMEND: 2284
 12/15/04 ADOPT: 154.00
 12/09/04 ADOPT: 423.00
 12/02/04 ADOPT: 120.01 AMEND: 120.00,
 120.02, 120.04
 12/02/04 AMEND: 2701, 2702, 2703, 2704, 2705,
 2706, 2707, 2709
 11/10/04 ADOPT: 2477
 10/28/04 ADOPT: 1230.5
 10/25/04 AMEND: 190.32, 190.34, 190.36, 190.38

Title 14

02/22/05 ADOPT: 1052.4 AMEND: 895.1, 1052,
 1052.1
 01/31/05 AMEND: 17943, 17944
 01/28/05 ADOPT: 3806.3, 3806.5
 01/11/05 ADOPT: 25201
 01/10/05 ADOPT: 800.6 AMEND: 800, 800.5,
 801, 802
 01/07/05 ADOPT: 1038(i) AMEND: 1038(e)
 12/27/04 ADOPT: 10280, 10281, 10282, 10283,
 10284, 10285, 10286, 10287, 10288,
 10289 REPEAL: 11325
 12/27/04 AMEND: 1.91, 27.60, 27.65, 27.82,
 27.83, 28.26, 28.27, 28.28, 28.29, 28.54,
 28.55, 28.56, 28.58, 28.90
 12/22/04 ADOPT: 18456.2.1, 18460.2.1 AMEND:
 18449, 18450, 18451, 18456, 18459,
 18459.1, 18459.2.1, 18459.3, 18461,
 18462
 12/21/04 AMEND: 7.50(b)(180)
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